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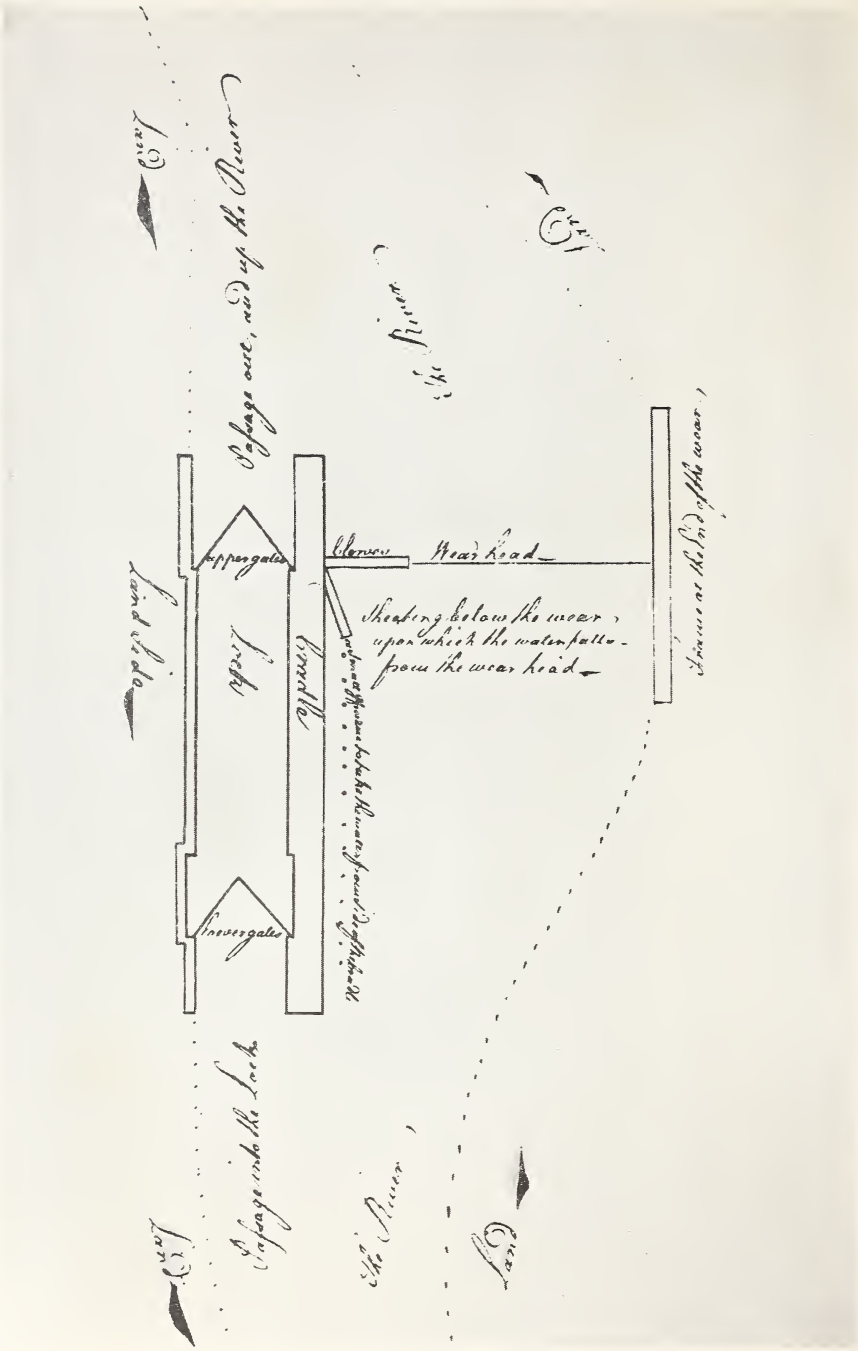

1. Plan of a Lock on the Weaver, *c.* 1760

THE NAVIGATION OF THE RIVER WEAVER IN THE EIGHTEENTH CENTURY

BY

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PREFACE

THERE are four main sources for the history of the Weaver navigation in the eighteenth century. The bulk of the records of the Weaver Commissioners and Trustees is deposited in the Cheshire County Record Office, The Castle, Chester. For the eighteenth century these " official " records consist of seven volumes of Minutes of the Commissioners and Trustees covering the years 1721 to 1800, seven volumes of general annual accounts covering the years 1730 to 1800, and seventeen volumes of Tonnage Books covering the years 1733 to 1785 and 1794 to 1800. In addition there are a number of books in which the clerks at Northwich and Winsford recorded the cargoes in detail and from which the Tonnage Books may have been compiled. These records comprise what must be one of the finest collections of material on any eighteenth-century river navigation. At the office of the Docks and Inland Waterways Executive, North-Western Division, Navigation Road, Northwich, which was formerly the headquarters of the Weaver Trustees, there are a few eighteenth-century documents, including deeds and plans. These have been referred to as Northwich MSS. The largest collection of material in private hands relating to the Weaver is at Arley Hall, Cheshire. This comprises some 470 documents, of which the bulk consists of the correspondence of Sir Peter Warburton between 1757 and 1766. It includes also printed pamphlets and Acts of Parliament relating to the Weaver, copies of the Commissioners' and Trustees' Minutes from 1757 to 1761 and 1765 to 1766, and the accounts of the Winsford salt works, barges, and wharves from 1734 to 1752. Where specific reference has been made to these records they have been described as Arley MSS. Finally, the British Museum Additional Manuscripts 36,914 consists of documents relating to the Weaver between 1699 and 1720. These comprise chiefly the correspondence of Sir Thomas Aston.

It has not been considered necessary to give detailed references to the records at Chester, Arley, or in the British Museum. Thus, except where otherwise stated, Chapter I is based on Add. MSS. 36,914, Chapters II–III, VI–X are based on the records at Chester, and Chapters IV–V are based on the Arley MSS.

I wish to thank Lady Ashbrook for giving me access to the Arley MSS. and for very kindly allowing them to be temporarily deposited in Chetham's Library for my use. Miss Hilda Lofthouse, Chetham's Librarian, gave me every assistance in consulting these manuscripts while they were in her custody. The very generous facilities thus granted

greatly lightened my work on this important collection of Weaver material. My thanks are also due to Lady Ashbrook for permitting the publication of a selection of this material. I am indebted to C. M. Marsh, Esq., M.Inst.C.E., for permission to consult the Weaver records which remain at Northwich and to reproduce the plans of the works on the river. At the Cheshire County Record Office Mr. A. Phillips and Mr. H. Pierce kindly gave me every facility for consulting the great body of Weaver material which is deposited there.

T. S. WILLAN.

CONTENTS

		PAGE
	PREFACE	v
CHAP.		
I.	THE STRUGGLE FOR THE ACT	1
II.	THE EXECUTION OF THE ACT	22
III.	THE REIGN OF THE UNDERTAKERS	33
IV.	THE TRANSFER OF POWER	49
V.	THE STRUGGLE FOR THE AMENDING ACT	63
VI.	THE TRUSTEES IN POWER	78
VII.	"THE STAFFORDSHIRE SCHEMERS"	88
VIII.	THE LIQUIDATION OF THE DEBT	98
IX.	CANAL COMPETITION	109
X.	CANAL CONNEXION	123
	APPENDICES	
I.	BIBLIOGRAPHY OF PAMPHLETS	139
II.	CORRESPONDENCE, 1699 TO 1720	142
III.	DOCUMENTS, 1757 TO 1761	160
	(A) The Liverpool merchants and the Weaver, December 1757 to April 1758.	
	(B) The difficulties of the Commissioners, October 1758 to October 1759.	
	(C) The struggle for the Amending Act, January to April 1760.	
	(D) Financial difficulties, April 1760 to February 1761.	
IV.	DOCUMENTS, 1765 TO 1766	197
V.	STATISTICS	206
	(A) Revenue from tonnage dues, 1732 to 1800.	
	(B) Tonnage of goods carried on the Weaver, 1759 to 1800.	
	INDEX OF PERSONS AND PLACES	229
	INDEX OF PRINCIPAL SUBJECTS	234

LIST OF PLANS AND MAPS

1. Plan of a lock on the Weaver, *c.* 1760 (Arley MSS.) . *Frontispiece*

FACING PAGE

2. The new cut and lock at Pickerings, 1759 (Northwich MSS.) . . 58
3. The rock pit hole and temporary dam at Northwich, 1760 (Northwich MSS.) 70
4. The new cut and lock at Saltersford, 1764 (Northwich MSS.) . . 82
5. The new cut and lock at Barnton, 1770 (Northwich MSS.) . . 90
6. The new cut and lock at Acton Bridge, 1774 (Northwich MSS.) . 100
7. The new cut and lock at Newbridge, 1795 (Northwich MSS.) . . 110
8. Plan of Witton Quays, 1790 (Northwich MSS.) 120
9. Plan of the Anderton Basin, 1791 (Northwich MSS.) . . . 132

Map of the Weaver . . . . . *at end*

(The plans reproduced from the Northwich MSS. were taken from a " Book of Maps ", which consists of plans drawn some time at the end of the nineteenth or the beginning of the present century. The dates are the years in which the Trustees first acquired land for the works shown on the plans.)

CHAPTER I

THE STRUGGLE FOR THE ACT

River transport played an important part in English economy during the seventeenth and eighteenth centuries. It was cheaper than land carriage, especially for goods which were heavy and bulky in proportion to their value. River transport had this advantage of relative cheapness despite the fact that very few English rivers were naturally navigable. Hence those river navigations, which preceded the canals of the later eighteenth century, were the product of the entrepreneur and the engineer, who built locks, scoured channels, made " cuts ", and canalized the natural stream until it was capable of carrying barges. Such enterprises, carried out by men whom contemporaries called " undertakers ", were common in the seventeenth and eighteenth centuries.[1] Among them was the improvement of the river Weaver.

In the seventeenth century only the tidal part of the Weaver seems to have been naturally navigable. Thus ships came up as far as Frodsham Bridge and there unloaded and loaded their cargoes. It is possible that above Frodsham Bridge boats were used on some stretches of the river, for in the early eighteenth century the riparian landowners claimed that they and their ancestors had used their legal right of passage on the river. It is clear, however, that there was no general right of passage such as existed on some of the greater rivers which had been navigable from time immemorial. Thus in 1604 the King declared that Peter Tarbock had " lately framed a boat to travel upon the river Weaver . . . for his own private gain ", and that the passage of such a boat might be prejudicial to the crown " as the river runs along the bounds of our forest of Delamere ", and harmful to the weirs and fishing in the river. Tarbock and others who travelled with boats on the river were ordered not to pass above Frodsham Bridge, except those who had weirs and fishing in the river, who might pass with their fishing boats, " every man within his own limits ".[2] It is evident that the Weaver was not commercially navigable above Frodsham Bridge in the seventeenth century.[3]

[1] For a general account of river navigation, see T. S. Willan, *River Navigation in England, 1600–1750*.

[2] *Cal. State Papers Domestic, 1603–10*, p. 143, and *Add. 1580–1626*, p. 448. A Peter Tarbocke of Witton was appointed Town Clerk of Liverpool in 1611, J. Touzeau, *The Rise and Progress of Liverpool*, i. 146.

[3] A. F. Calvert, *Salt in Cheshire*, p. 431, speaks of two flats called the *Appendrade* and the *Duke of Holstein* trading on the Weaver in the seventeenth century, but this is almost certainly an error, for two boats with those names were trading on the river in the seventeen-thirties, after it had been made navigable.

Nor were there any very serious attempts to make the river navigable before the closing year of the century. Two attempts were indeed made to improve the river in the reign of Charles II, but they both appear to have been half-hearted and both were unsuccessful. On 5 March 1663 a Bill was read in the House of Commons " for making navigable the Rivers of Mersey and Weever, with the rivulets running into the same ". Four days later it was given a second reading and committed. The Committee reported some unspecified amendments on 3 April and these were accepted. Five days later the Committee was ordered to prepare and bring in certain provisos for limiting the time for making the rivers navigable, for making tolls general for other commodities as well as salt, and for providing that no tolls should be imposed for the carriage of goods where the rivers were already navigable. Further consideration of the measure was adjourned until after Easter. The Committee was revived on 20 May and a petition from several inhabitants of Cheshire was referred to it on 17 June. Two days later four new members were added to the Committee, but there is no further record of proceedings on the Bill.[1] Nothing is known of the reasons for the introduction of the Bill at this time, but three other similarly unsuccessful Bills for improving rivers were in the Commons between 1662 and 1665. Nor is it certain why the Bill failed, though the fact that Liverpool opposed it may have accounted for that failure. The Corporation of Liverpool employed Captain John Case to oppose the Bill and on 25 February 1664 agreed to negotiate with him, " touching his demand of costs expended by him in defending against the Bill brought in for making navigable the Rivers of Mersey and Weaver ".[2] If little is known of this first attempt to improve the Weaver, nothing at all is known of the second attempt beyond the fact that a Bill " for making the River of Weaver navigable " was given a first reading in the Commons on 20 December 1670 and that a second reading was ordered, but apparently never took place.[3]

It was not until the very end of the seventeenth century that the project for improving the Weaver was resumed. This resumption may have been partly inspired by the general movement for improving rivers which marked the sixteen-nineties, when Acts were passed for making navigable the Aire and Calder, the Colne, the Lark, the Tone, the Trent, and the Yare. It is impossible, however, to prove that this activity influenced the Weaver projectors. Indeed, it is more likely that their inspiration came from changing conditions within the Cheshire salt industry.[4] The Weaver and its tributary the Dane flowed through the

[1] *Commons' Journals*, viii. 444, 447, 464, 468, 488, 504, 507.

[2] J. A. Picton, *Liverpool Municipal Records*, i. 241.

[3] *Commons' Journals*, ix. 187.

[4] For the Cheshire salt industry, see A. F. Calvert, *Salt in Cheshire*, and E. Hughes, *Studies in Administration and Finance*.

Cheshire salt district where for centuries salt had been produced from the brine springs. In the course of the seventeenth century two important changes took place in that industry. Firstly, coal was substituted for wood as the fuel used in heating the salt pans. Coal was used for this purpose in some parts of England in the sixteenth century, but it does not appear to have been so used in Cheshire until the seventeenth century. Most of the coal appears to have been brought by land from the Staffordshire pits to the salt works, and it was one of those bulky commodities of low value for which land carriage was expensive. The improvement of the Weaver would obviously not cheapen the carriage of Staffordshire coal, but it would enable coal from south Lancashire to be brought up the river to the salt works. Some Lancashire coal was already being brought to Frodsham Bridge by boat and from there distributed by land carriage, but a statement of 1699 showed how expensive that distribution was. Lancashire coal, which cost 6*s.* a ton in Lancashire, could be carried to Frodsham Bridge by boat for 1*s.* 10*d.* a ton, but the land carriage from Frodsham Bridge to Winnington cost 4*s.* a ton, and from Winnington to Middlewich a further 4*s.* 6*d.* The land carriage of Staffordshire coal was shown to be equally expensive, for it cost 10*s.* a ton in winter and from 7*s.* 6*d.* to 9*s.* 2*d.* a ton in summer to carry it from the pits to Middlewich. As it was said to take one ton of coal to make $1\frac{1}{2}$ tons of salt, it is not surprising that a desire for the cheaper carriage of coal was an important motive for improving the river.

In the second place, the salt industry had been affected, not only by the use of a new industrial fuel, but also by the discovery of a new source of raw material. In 1670 rock salt had been found at Marbury, near Northwich. The exploitation of this rock salt in the thirty years after 1670 had led to considerable competition between the new producers of rock salt and the older established producers of salt from the brine springs. Both types of salt were sent by land carriage to Frodsham Bridge and there shipped. Thus the producers of rock salt and the producers of brine salt were both interested in the cost of land carriage. Superficially they might appear to be equally interested, but in practice that was not so, for most of the rock salt was shipped in the unrefined state, whereas the white salt made from brine was refined at the brine springs before it was despatched. Thus the rock salt was less able to bear the high cost of land carriage than the white salt, which was more valuable and less bulky in proportion to its value than the rock. A calculation, made probably about 1720, shows how high was the cost of land carriage, especially for rock salt. The prime cost of a ton of rock salt at the pits was said to be 4*s.*, the cost of land carriage from Northwich to Frodsham Bridge was 8*s.*, and the duty on the salt $2\frac{2}{5}d.$,[1] making a total of 12*s.* $2\frac{2}{5}d.$ a ton. The cost of a ton of brine salt was given as

[1] For the salt duties, see Hughes, op. cit., *passim.*

13*s.* 4*d.*, the land carriage to Frodsham Bridge as 8*s.* 6*d.*, and the duty as 8*d.*, making a total of £1 2*s.* 6*d.* If the river were made navigable, the cost of carriage for both sorts of salt would be 3*s.* a ton, thus the saving in the case of rock salt would be 5*s.* in 12*s.* $2\frac{2}{3}$*d.* or 40·9 per cent and in the case of brine salt 5*s.* 6*d.* in £1 2*s.* 6*d.* or 24·4 per cent.[1] Though the opponents of the navigation disputed some of these figures, they did not deny, indeed they admitted, that the cost of land carriage was double the prime cost of rock salt. It is not surprising therefore that the producers of rock salt played a leading part in the agitation for improving the Weaver, though it would be wrong to assume that such improvement would not benefit at least some of the brine men, who were also interested in cheaper carriage for salt and were more interested than the rock-salt men in a cheaper supply of coal.

Salt and coal might provide powerful motives for improving the Weaver, but the agitation for that improvement which began in 1699 continued for more than twenty years and produced one of the finest crops of pamphlets of any contemporary navigation scheme.[2] For twenty years the arguments for and against the proposed navigation were stated and refuted, reiterated and contradicted with all the monotony and repetition of a prolonged case in Chancery. Such arguments sometimes produced more heat than light, but they provide sufficient evidence to determine upon what the supporters and opponents of the project based their cases. The supporters of the proposed navigation based their case on the inadequacy and dearness of the existing land carriage, which, they maintained, were ruining the salt trade. That trade had formerly supplied England, Ireland, and foreign countries with salt, but now both Ireland and foreign countries were being supplied by France and Spain. Land carriage was so inadequate for getting the salt to Frodsham Bridge that the ships there had to wait for their cargoes and were finally discouraged from coming at all. Moreover, land carriage was so expensive that it cost between 8*s.* and 10*s.* to get a ton of salt to Frodsham Bridge. As a result Cheshire salt could not compete in the Irish and foreign markets. It was a " general maxim of trade, to make the export of all commodities as cheap as can be ". This would only be achieved if the river were made navigable, for then the cost of carriage to Frodsham Bridge would be reduced to 3*s.* a ton or even less, and the ships there would no longer have to wait for their cargoes. By this means the trade in salt with Ireland and the countries of northern Europe

[1] *Remarks upon the Printed Paper, Entitled, Reasons against the Bill for making the River Weaver Navigable.*

[2] See Appendix I for bibliography of these pamphlets. This account of the arguments for and against the proposed navigation is based on these pamphlets as well as on Add. MSS. 36,914. Some parts of Add. MSS. 36,914 are printed in W. T. Jackman, *Development of Transportation in Modern England*, ii. 666–72, and in Hughes, op. cit., pp. 228–31, 255–8.

would be regained and the declining Cheshire salt industry revived. Similarly, the navigation would benefit the cheese trade, for the land carriage of cheese was said to cost 10*s*., 15*s*., and sometimes 18*s*. a ton. This, too, would be reduced to 3*s*. a ton.

The main argument of the supporters of the navigation, namely that water transport would reduce the costs of carriage, was a difficult one to refute. The opponents of the scheme maintained that the existing land carriage was adequate to meet any demands made upon it, even alleging that the rock-salt traders had sent an unnecessarily large number of ships to Frodsham Bridge to create the impression that there was delay in obtaining cargoes there. They did not, however, attempt to show that land carriage was cheap as well as adequate. Indeed, they appear to have accepted the land carriage rates as given by the supporters of the navigation, though such rates were roughly 1*s*. a ton per mile. It would seem that such was in fact the normal cost of the carriage of salt by land. Unable to refute the argument that carriage by water was cheaper than carriage by land, the opponents of the navigation based their case on what were in some respects social rather than purely economic grounds. They were defending the existing order of things and so sought to show that the navigation would disrupt the old established ways of life in the area through which the river flowed. Thus the navigation would ruin the land carriers, which was a tacit admission of the economic superiority of water transport. The land carriers were said to number between 3000 and 4000 families and to earn £17,000 by the carriage of coal alone. Their ruin would cause unemployment and poverty, with a resulting increase in the poor rates, for one boat of 40 tons employing two horses and two men would carry as much as 400 horses with their drivers, the latter being variously estimated at 100 and 200 men. These arguments, in so far as they were put forward by landowners, were not entirely altruistic, for they were elaborated to show how the ruin of the land carriers would adversely affect rents. Land carriage was obviously a valuable source of income to the smaller tenant farmers, who were said to receive great benefit " by carrying of coals to their own houses at spare times in summer, and from thence to the wiches in winter, whereby they are the better enabled to pay theyr rents and provide for the comfortable support of their families ". Such carriers held their farms under long leases and at rents which took into account the fact that the land was used to maintain teams which in turn were used for land carriage, for " the advantage of carrying salt and coal is (upon taking the leases) made a consideration in the rent ". Thus the loss of such land carriage would make it impossible for the tenants to pay their rents and result ultimately in a fall in such rents. It has been maintained that the loss of land carriage through the development of inland water transport was one of the causes of the decline of the

yeomanry,[1] but in Cheshire the land carriers appear to have been not yeomen in the sense of owner occupiers, but small tenant farmers whose time was divided between farming and carrying. It may be that the latter was sometimes the more important source of income.

The defence of the land carriers suggests that the dispute over the navigation was a conflict between the agricultural interest and the salt proprietors. It was not, however, so simple as that. It was not a straight struggle between agriculture and industry, for some landowners were interested in brine springs and some salt proprietors were opposed to the navigation. Thus while the rock-salt proprietors were in favour of the navigation, many of the brine men were against it. The latter maintained that under the existing system of land carriage all salt producers were on an equal footing in the sense that the distance they had to send their salt by land, combined with the distance from the coal pits from which they got their coal, was roughly the same for all. Thus those producers who were nearest to Frodsham Bridge and so had the shortest land carriage for their salt, were the farthest from the Staffordshire coal pits and so had the longest land carriage for their coal. The navigation would destroy this delicate equilibrium, which was ascribed to providence. If the river were made navigable only as far as Northwich, as was at first proposed, the Northwich salt proprietors would both ship their salt by the river and obtain their coal by the same means, and thus undersell all the other producers of Middlewich, Winsford, and Nantwich. The opponents of the scheme claimed that it was " design'd only to raise the estates of the projectors and of some few proprietors of brine and salt rock in and near Northwich, upon the ruines of all persons interested in the rest of the ancient wiches and other brine-works in the said county ". They claimed in fact that it was a conspiracy of the Northwich salt producers, especially of the rock-salt men, to ruin all the other Cheshire salt-producing areas. Having done that, the Northwich producers would be able to establish a monopoly and raise prices as they pleased. How far this charge was true, it is difficult to say. There was undoubtedly bitter hostility between some of the brine-salt proprietors and the rock-salt men, whose salt was accused of being " the worst in Europe " and quite unfit for curing fish or flesh. The rock-salt men were anxious to improve the river for water transport would give them a competitive advantage over the salt works which would still be dependent on land carriage, assuming, that is, that water transport was cheaper, a fact which no one seems to have denied. It is doubtful whether they really hoped by this means to establish a monopoly which would enable them to control prices, and when, after 1715, it was proposed to make the river navigable to Winsford, such a monopoly was even less likely.

[1] J. Rae, " Why have the Yeomanry perished ? ", *Contemporary Review*, xliv. (1883), pp. 546–65.

Thus the opponents of the navigation based their case primarily on the interests of the land carriers, of the land, and of the majority of the brine-salt proprietors, but in all such opposition there were always a host of real or alleged disadvantages to be expressed and elaborated and a number of private rights to be claimed and defended. Landowners maintained that they would suffer, not only from a fall in rents as a result of the loss of land carriage by their tenants, but from the flooding of their meadows. The locks necessary for making the river navigable would raise the level of the water and flood the meadows which lay along the river banks. This would reduce the value of the " upland farms " dependent on such meadows for their hay. Raising the level of the water would destroy the fords which connected land lying on both sides of the river. The fords would have to be replaced by wooden bridges which would obstruct the passage of boats and would be swept away by floods. The passage of boats would itself cause great harm to the riparian landowners and destroy the amenities of their riverside estates and mansions. The boats would have to be towed by horses and, " the country being all enclosed in very small parcells ", landowners would be compelled to make gates on the towing-paths, which the boatmen would be negligent in shutting, so that the cattle would stray into the corn and the result would be " dissentions amongst neighbours, suits in law, quarrells, and breaches of the peace ". As the boats would need tow-ropes, the poplars and willows, which preserved the banks and provided fuel and fencing, would have to be cut down to allow a clear passage for these ropes. Moreover, the mansions and parks bordering the river would suffer from the depredations of the boatmen, " who, generally, are very lewd and ill disposed people ". Such boatmen would trespass in the corn and hay " by feeding theyr draught horses " while waiting for the tide to ebb and would steal deer, sheep, rabbits, corn, fish, wood, " and other necessaries " about the mansions, " and perhaps break these open also ". It would be useless making " the poor bargemen " answerable for the damage they did, for they would be " strangers and very probably beggars too ". Just as the navigation would be harmful to the estates by the river, so too it would damage the brine springs and salt works which stood on the river banks. The horses used in towing the boats would break down the banks and cause the works to be flooded. In all this tale of woe there was one interesting omission. Similar navigation schemes elsewhere almost always encountered opposition from mill owners, for a passage for boats usually interfered with the weirs and dams which regulated the water supply for the mills. Though mills were mentioned once or twice there was no such opposition in the case of the Weaver. The supporters of the navigation claimed that there was no mill at all on the river itself between Frodsham Bridge and Winsford. This may have been an exaggeration, but the absence of

opposition from mill owners suggests that mills were at least rarer on the Weaver than on many other rivers. It would be interesting to know whether this was because the main stream of the river was unsuitable for driving such mills or because Cheshire agriculture was so largely based on dairy farming.

The case put forward by the opponents of the navigation was not allowed to go unanswered in the paper warfare which marked the struggle and which has left valuable, if conflicting, evidence for the historian. The supporters of the scheme, after expressing the usual lofty sentiments about the public welfare taking precedence over selfish and private interests, proceeded to answer their opponents in some detail. They denied, as they were bound to deny, that the navigation would result in a monopoly for a few salt proprietors. On the contrary it would lead to a revival of the salt industry and to the recapture of foreign markets. They admitted that the land carriers would lose their employment, but added with truth that the fear of such a loss was " the constant objection against making every river navigable ". The land carriers got " but mean and poor livelyhoods " and they could find alternate employment on the navigation and their lands could be grazed with sheep and cattle or converted to tillage, which would give work for their horses. Even so it cannot have been much consolation to the land carriers with their teams to employ and their rents to pay, to be informed rather pompously that " the employments of private persons be they never so beneficial to the particulars, yet when they come in competition with a greater and more general interest, must give way to the public good ". As for those who opposed " under pretense of damage in their private property ", it was maintained against them that their meadows would be less liable to flooding, for the river would be enlarged and cleared of obstructions, which would give a freer passage for the water. At the same time such flooding was, rather inconsistently, defended, for " as floods run on, they run off again, and are rather a benefit, than any damage to such lands ". Nor would the navigation damage any of the brine springs or rock-salt pits near the river, for they were secured by " timber frames and tempered clay ". In any case, if the navigation did cause damage to meadows, or salt works, or other private property, the undertakers would be liable to pay compensation for such damage. The supporters of the scheme were satisfied that " the navigation of this river imports more to the good of the publick and is less prejudicial to private property than any other river in England not yet navigable ". It was a bold claim which many denied. Those who did deny it were able to delay for twenty years the passage of a Bill for improving the Weaver. It was not so much the strength of the arguments against the navigation that mattered in this " age of reason " as the power of those who so argued. It is not without interest to try to discover how that power was deployed.

Little is known of the early stages of the struggle that began in 1699. It was then proposed to make the river navigable up to Northwich. The promoters of the undertaking were the rock-salt proprietors led by Thomas Slyford, who was himself interested in what his opponents called " that vile rock salt ". Slyford attempted to get signatures to a petition for leave to bring in a Bill for improving the river, but in this he met with strong opposition. The leading opponent was Sir Willoughby Aston, who appears to have represented the landowners' interests and who used a technique of opposition that was later to be developed and elaborated. Aston collected information about the salt industry, which could be used to refute the promoters' arguments. Thus on 29 August 1699 Francis Cholmondeley sent him details of the cost of Lancashire coals, adding hopefully that if they could be brought to Middlewich at a cost in carriage of 4½*d.* a cwt. " the often removes they are subject to, would make them useless, for most of them would run thorough the grates ". About the same time information was obtained on the cost of coals at the Droitwich brine springs, presumably for purposes of comparison, and on the position of the Middlewich salt proprietors, who claimed that the navigation would ruin them and the land carriers of coal from Staffordshire. It may have been from such information as this that Aston compiled a " book ", which was apparently a statement of the case against the proposed navigation, for on 7 October 1699 G. Booth wrote to Aston, " I have returned your booke and have diligently perused it and am so farr satisfy'd with the reasons alledg'd against the navigation that I shall never give my hand to incourage it." This book was still being used by opponents of the navigation as a source of inspiration and information twenty years later. It was never printed, but a broadside attacking the navigation appears to have been printed and circulated in 1699.[1] This claimed that the river would be made navigable only to Winnington Bridge for the benefit of two proprietors of salt works and rock-salt pits there. There is no evidence that Aston was the author of this, but he seems to have drafted a number of petitions against the proposed Bill, which were presumably ready to be signed and presented if ever the matter got as far as the House of Commons.[2] Aston's main purpose, however, was to prevent subscriptions to the petition for leave to bring in a Bill, and this he did " so effectually that Slyford . . . and his accomplices proceeded no further ". There was no petition to the Commons and no Bill.

It was not until 1709 that the project was revived. It was then pushed with rather more vigour than it had been ten years before, for

[1] *A Short Account of a Design for making the River Weever in the County of Chester Navigable, from Frodsham-Bridge to Winnington-Bridge, being about 5 or 6 miles only.*

[2] There are undated drafts of petitions against a proposed Bill in Add. MSS. 36,914, ff. 16–28, many of which were almost certainly drawn up in 1699.

Slyford had acquired new allies. These included Sir Thomas Johnson, M.P. for Liverpool, who was a refiner of rock salt, and Richard Vernon, an attorney with interests in the salt industry. Slyford and Johnson circulated their " Reasons " in favour of the scheme in a broadside which included answers to " some weak but obstinate objections " made by their opponents, who in turn considered the answers " very fallacious ", but as they would gain credit among " unthinking people " they needed " sollid, substantial replyes ". Sir Thomas Aston, who was continuing the work of opposition begun by his father, Sir Willoughby, was urged to gather evidence from Middlewich, Winsford, and Nantwich and " to collect such a reply " as he judged " fitting to be printed and given to the members ". Aston drafted a reply entitled " Some considerations upon the reasons for making Weever navigable by way of answer ", but it does not seem to have been printed. Though Aston was active in opposing the navigation, the chief organizer of opposition was now Peter Shakerley, who had been one of the M.P.s for Chester since 1698. It was to Shakerley that men turned for advice and instructions. Thus on 5 December 1709 six Middlewich men wrote to him declaring their opposition to the navigation and asking for directions how to proceed in that opposition. Shakerley's tactics involved three lines of attack. Firstly it was necessary to prevent petitions to the Commons in favour of the proposed Bill for improving the river. It was especially important to prevent signatures being put to the petition for leave to bring in a Bill, for if that could be done, the scheme would be nipped in the bud before it got as far as the House of Commons, as it had been in 1699. Thus on 31 December 1709 Shakerley wrote to the justices of the peace and the grand jury at the quarter sessions at Northwich, pointing out to them that the " projectors " were trying to get the knights of the shire to present a petition in favour of the navigation " by procureing one to our House of Commons from you ". To prevent them from " being imposed upon by any specious pretences ", Shakerley proceeded to acquaint them " with only some of the mischiefs which will come to our country by this self-ended project ". He ended by asking them that they, " so farr from petitioning our House of Commons for it ", would unanimously write to each of the county members to oppose it.

The second line of attack was to get petitions presented to the Commons against the proposed Bill. In a long letter of 8 December 1709 Shakerley gave instructions to Sir Thomas Aston how this should be done. Though petitions could not be presented until the Bill was brought in or leave given for its introduction, it was possible and desirable " to gett a great many severall petitions against it as if the Bill was in the House or leave given for it ". Shakerley explained how the petitions must be worded. They must be addressed to " the Honorable the Commons of Great Brittain in Parliament assembled ", they must " sett

forthe the mischiefs " the Bill would create, and they must end with the prayer " that the Bill may not pass " and that the petitioners may " be heard by their counsell ". He then declared what petitions should be obtained. These included petitions from gentlemen and freeholders with lands by the river, from the land carriers of Eddisbury, Northwich, and Bucklow hundreds, from those who paid poor rates in each township, and from the towns of Middlewich, Nantwich, and even Northwich if it had " any sence " of its " danger ". " The more petitions," Shakerley concluded, " the better (for one petition will not be so advantageous), but the words of each must be varyed." The drafts of petitions that survive suggest that they were drawn up by the chief opponents of the navigation and were kept in readiness for the signatures of " the poor sort of inhabitants of Northwich hundred " or of " several farmers and freeholders of Bucklow hundred ". It would probably be rash to assume that petitions either for or against the navigation were spontaneous expressions of local sentiment.

The final line of attack was to secure the co-operation of the Cheshire knights of the shire against the proposed navigation. Thus on 5 December 1709 Hugh Delves wrote to Peter Shakerley that the " gentlemen and proprietors " of Nantwich would, apparently at Shakerley's instigation, " send an instrument to our members with your assistance to stop the unmercifull proceedings of Liverpoole men ". Shakerley himself told Aston to write to the knights of the shire for Cheshire to watch for and oppose the petition for leave to introduce the Bill and " to oppose this designe in every stepp it shall make in the House and to speak to all their friends thereof to do the like ". This prodding of the county members, John Crewe and Langham Booth, was very necessary, for neither was active in opposing the navigation. Indeed, Booth told Aston on 22 December 1709 that if a petition for the navigation were signed by the justices of the peace and gentlemen at the quarter sessions, he did not see how he could " refuse delivering the petition to the House ", though personally he was opposed to the scheme. The equivocal attitude of the county members was one reason why they were both defeated in the general election of 1710, when their places were taken by Sir George Warburton and Charles Cholmondeley, both opponents of the navigation.[1] It was not until after the election that a petition was at last presented to the Commons. On 27 February 1711 a petition in the name of the inhabitants of Northwich, Frodsham, and other parts of Cheshire was presented asking leave to bring in a Bill for making the Weaver navigable from Frodsham Bridge to Northwich. Leave was granted and the Bill was presented on 7 March by Sir Thomas Johnson. It was given a first reading, but the motion that it be read a second time was negatived.[2] If this was an anti-climax, it was also a victory for Peter Shakerley.

[1] Hughes, op. cit., p. 260.

[2] *Commons' Journals*, xvi. 521, 538.

The fact that the scheme for making the Weaver navigable had got as far as the House of Commons in 1711 suggests that the movement in its favour was gaining strength. Moreover, there had been a gap of ten years between the projects of 1699 and 1709, whereas the defeat of 1711 was followed by a lull of only four years. The scheme was revived in 1715, though Slyford was no longer among its promoters. These seem to have been chiefly the Northwich salt proprietors, reinforced by Liverpool men who were concerned in refining rock salt. The presence of the latter aroused the opposition of county patriots like John Partington of Northwich, who was "against the navigation by the undertaking of strangers", for if any benefit were to be gained by the navigation, it should go to the county which could undertake the work "without the aid of foreigners, by which I do not mean only aliens, but all such who are not inhabitants in our own county".[1] This appeal to the county was premature for opposition there was still strong, though it had lost the active assistance of Peter Shakerley, who was no longer a Member of Parliament. Moreover, Shakerley was unwilling to take any part in the struggle; being out of parliament he was resolved "to be as easy as he could". It was only with great reluctance that he once more instructed Sir Thomas Aston how petitions should be presented to the Commons. Aston himself was still active, but there was a noticeable change of emphasis in his opposition, which suggests he was no longer so sure of its success. In his correspondence with Langham Booth, who had again become a member for Cheshire in the elections of 1715, Aston, while still emphasizing the harm which the navigation would do to the land carriers and to the county in general, was concerned also in safeguarding his own rights by obtaining a "saving clause" in the Bill. Such a clause was necessary to protect his right of navigation on the river above Frodsham Bridge where it flowed along his demesne and where he and his ancestors had always transported goods by water. It was unreasonable that he or others should have to pay tolls on that part of the river above Frodsham Bridge which was already navigable, and he wanted a clause in the Bill to prevent the levying of such tolls. At the same time provision should be made for compensation for the destruction of "wears and fishyards" and for damage to stone bridges. This attempt to safeguard private rights was merely a form of insurance against the possible success of the measure. It did not imply that the opposition was relenting, for in fact that opposition remained strong, though it must have missed the services of Shakerley as organizer and instructor.

The opponents of the navigation, lacking Shakerley's services, employed instead a "professional" to assist them in their opposition. This was William Watts, a Middlewich attorney, whose archaic spelling

[1] John Partington to Sir Thomas Johnson, 27 May 1715 (Northwich MSS.).

and old-fashioned handwriting seem to belong to an earlier age. He was apparently to be paid for his services by some sort of a levy or subscription from the chief opponents of the navigation, but it is not clear how this was to be assessed. Though he took the precaution of drawing up an "undertaking" for the reimbursement of his charges and maintained that there would "bee noe danger of any differences" in allotting those charges, such differences apparently arose, and five years later he was still unpaid. Watts operated both in the county and in London. In the county he was active in furthering petitions against the Bill, including a petition from Northwich asking that the tolls from the river should ultimately be used for the benefit of the county. Watts hoped that the "projectors", faced with such a possibility, would not be "soe publick spirited as to use any further endeavours to effect" the navigation. In London Watts appears to have watched the proceedings in parliament on behalf of his clients.

Those proceedings began on 27 May 1715 with a petition from the gentlemen, freeholders, and chief inhabitants of Northwich asking for leave to bring in a Bill for making the river navigable from Frodsham Bridge to Northwich. Leave was given and Langham Booth and Sir George Warburton, the county members, were ordered to prepare and bring in the Bill. This was presented on 30 May and given its first reading on the following day. A fortnight later it was read a second time and committed.[1] By then petitions against the Bill were being presented to the Commons. There were fourteen such petitions, representing a wide range of opposition. The inhabitants of Warrington, the burgesses of Newton in Makerfield, the mayor and citizens of Chester, the freeholders and farmers of Nantwich and Eddisbury hundreds, and the high sheriff, justices of the peace, and gentlemen of Cheshire all claimed that the Bill would be prejudicial to themselves, or to the general interest, or to both.[2] The farmers and freeholders of Bucklow and Northwich hundreds protested that the Bill would deprive them of "employing themselves and servants in carrying coals in the summer-time to their own houses, with which they supply the wyches in winter",[3] and the "poorer sort of the inhabitants of Edisbury hundred" also claimed that their land carriage would be ruined and they "for want of employment, will perish for want of bread",[4] which was almost the exact wording of the petition drafted for them some years before. The salt towns also protested. The gentlemen and other inhabitants of Nantwich declared that the Bill would "destroy the ancient salt-trade there" and the

[1] *Commons' Journals*, xviii. 141–2, 147, 168. There is a copy of the Bill, with blanks for the names of undertakers, commissioners, etc., in the Bodleian Library (W. Bromley, *Parliamentary Papers*, iv, no. 115).

[2] *Commons' Journals*, xviii. 167, 169, 171, 177, 182.

[3] Ibid., pp. 169, 179.

[4] Ibid., p. 177.

inhabitants and proprietors of salt works of Middlewich claimed that it would impoverish "some thousands of persons" who lived by carrying salt.[1] Northwich, as the town to which the river was to be made navigable, could scarcely protest in similar terms, but a petition from the proprietors of salt works and owners and farmers of land in and around Northwich attacked the toll of 1*s.* 4*d.* a ton, which was to be granted to the undertakers and their heirs for ever and which would, they said, produce £2000 p.a.[2] This petition suggests that Watts had paid a successful visit to Northwich, for it embodies at least some of his ideas on the line to be taken there.

Finally there were petitions from individuals who claimed that the navigation would damage their property. Thus William Berrington and Philip Lutley, trustees of the late Charles, Lord Gerard, and Thomas Fleetwood and Frances his wife, only sister of Gerard, claimed that their meadow lands would be "laid under water" by the navigation. These meadows were said to be worth £1000 p.a. and as half their value would be destroyed by flooding, the capital loss at twenty-five years' purchase would be £12,500.[3] Others believed that their salt works would be directly damaged by the navigation. Thomas Warburton, Anne his wife, and George their son declared that they had made a brine pit and rock-salt pit near the river at great expense and had erected buildings for boiling, curing, and storing the brine salt. When fully improved the brine pit would be worth £20,000. If the soil were cut between these works and the river or the river deepened to carry boats, the works would be ruined.[4] These works were at Winnington and, according to the supporters of the navigation, were adequately protected from the river. Indeed, it was even claimed that the Warburtons were only opposing the navigation in order to compel the undertakers to take a lease of the works for twenty-one years at a rent of £400 p.a., which was four times their value.[5] Others protested that their salt works would be indirectly injured by the navigation. Charles Cholmondeley and Grizel Mainwaring, sister and heiress of the late Charles Mainwaring, declared that their

> late uncle, Francis Cholmondeley, esquire, deceased, was, about five and twenty years ago, put to so great an expence in sinking a brine-pit, and erecting a salt-work, in the county of Chester, that he laid out a great part of his fortune, and leased out his real estate, for three lives, under a small reserved rent, in order to raise money for the finishing and completing the said salt-works.

The petitioners were now owners of the works, which would be ruined if the Bill passed, for then the entire salt trade would be monopolized by a few proprietors in and around Northwich.[6] This brine pit and these

[1] *Commons' Journals*, xviii. pp. 177, 179–80. [2] Ibid., p. 182. [3] Ibid., p. 177.
[4] Ibid., p. 183. [5] Calvert, op. cit., p. 436. [6] *Commons' Journals*, xviii. 169.

salt works were near Over and Francis Cholmondeley was said to have spent £3051 13*s.* 7*d.* on them and an additional £500 in making a "cart pavement or Causeway" from Over to the works. If the statements in the petition were true, some of the capital had been raised by granting long leases with large fines and low rents, which was a method of financing industry by landowners which might well repay fuller investigation for other times and places.

In face of this flood of petitions, the promoters could only raise two in favour of the navigation, excluding the original petition for leave to bring in the Bill. These were from several merchants and traders in rock salt of Bristol and the parts adjacent, who declared that the navigation would be of great service to that city, and from shipmasters, merchants, and traders of Liverpool, who believed that the navigation would increase the export of salt.[1] A third petition, from the justices of the peace at the quarter sessions at Nantwich, while approving the navigation in principle, asking that it should be "undertaken at the expence, and for the benefit of the inhabitants" and that they "or such others of the gentlemen of the said county as shall be thought fit" should be admitted as undertakers.[2] The petitions show a remarkable absence of support for the navigation in the county and in view of that it is perhaps not surprising that the Bill never emerged from the Committee to which it had been referred on 14 June. On 2 July 1715 the Committee was given power to provide for extending the navigation to Witton Bridge and on 30 July ten members were added to it.[3] Three days later consideration of the Bill was adjourned for two months by 4 votes to 2 in the Committee, which, as R. Heron reported to Aston, was "in effect throwing out the Bill". According to Watts, "the projectors and managers" were "very much dispirited", but they seemed to hope that the county would "reimburse them £400 which they say they are out of pockett". They could not have been so very dispirited if they really hoped for that.

It was clear that "the projectors and managers" had got a little nearer to their objective in 1715. For the first time their Bill had secured a second reading. But it was equally clear that they needed more support and especially more petitions in their favour if they were to convince parliament of the merits of their project. It is not possible to discover how they secured this support, but the petitions to parliament in 1720 show that they had done so. It has been pointed out that there was a partial fusion of interest between the brine- and rock-salt proprietors at this time.[4] Such a fusion must have weakened the opposition of the brine-salt proprietors to the navigation. Moreover, when the project was revived towards the end of 1719, it had acquired two new

[1] Ibid., pp. 167, 177. [2] Ibid., p. 228. [3] Ibid., pp. 196, 249.
[4] Hughes, op. cit., p. 396.

features which may have made opposition to it more difficult. Firstly, it was now proposed to make the Weaver navigable not only to Northwich, but higher up to Winsford, which would give the Winsford salt works direct access to water transport and place the Middlewich works within fairly easy reach of such transport. The later proposal to make the Dane navigable to Middlewich might remove any competitive advantage which the Weaver navigation would give to the Northwich and Winsford salt proprietors. Secondly, the tentative proposal of 1715 that the improvement of the river should be undertaken by the county for the financial benefit of the county now became an important issue in the struggle. Though it was a proposal that might win support for the navigation, it was viewed with alarm by many who wished to see the river improved. They felt that " such publick undertakings are impracticable, and have never yet succeeded in the few cases that had been attempted in the like nature ".[1] They believed that the proposal was a subtle device of their opponents for defeating the navigation by setting " up now for having it done upon an impracticable foot ".[2] It is possible that some put forward the proposal with that object and equally possible that some opposed it because they expected large profits for themselves from the navigation. Whatever were men's motives, the proposal itself was to be adopted in a modified form and was to be of great importance in the history of the navigation.

The promoters of the navigation may have acquired fresh support and new allies, but some at least of their opponents in the county remained unconvinced. Thus the Cholmondeleys were active in opposing the navigation and in defending their property. On 5 February 1720 Charles Cholmondeley suggested to Sir Thomas Aston " some little subscription among our selves . . . to which . . . I shall readily contribute any proportion that can be thought proper for me ". Aston's reply of the same day was not encouraging. He was incapacitated with gout which made him " uncapable of doing any service in the present affair, having neither rest nor ease, day or night ". He believed there was " but little hope of a subscription unless it could have bin pretty nearly computed what the charge might amount to and what number of subscribers could be got, that they might know what each man's proportion would be ". This could not be done " unless some active, industrious, interested person took the solliciting part upon him ", for none would subscribe " to be at the charge of opposition at random without knowing who will take his part or what his share will be and not be left at the mercy of agents to employ who and make what bills they please ". There had been " diffi-

[1] *Remarks upon the Petitions preferred, and the Cases and Reasons published against the Bill to make the River Weaver Navigable.*

[2] *Copy of a Letter from A. D. to H. L——h, Esq., about making the River Weaver . . . Navigable.*

culty about adjusting the proportion " in the past and apparently as a result of this Watts was still unpaid. Aston was willing to " contribute towards opposing the navigation " but he " would see how those will tax themselves who are likely to be the greatest sufferers ". It may only have been the effect of gout, but there is a certain note of weariness of the whole business in Aston's reply.

Watts, although he was said to be " uneasy he is not paid ", was still active. He was in London in February and March 1720, busy sending reports to Aston on the progress of the Bill and trying to see that the House got as favourable an impression as possible of the opposition to it. In this he was not always successful. Thus on 27 February 1720 he reported to Aston that he had tried unsuccessfully to stop Fleetwood's agent from putting witnesses at the bar of the House to prove what damage the navigation would do to Fleetwood's meadows. As a result " the younger Hawley [1] (the nephewe) was sett first to the barr, and terrible worke hee made, and would not produce the mapp of the river and meadows he came to prove, butt talked idly of things of his own knowledge ". " Old Hawley " was little better, for " neither of them wold speak to be heard, butt the Speaker had what they said repeated to him and was really very angry ". " In short," Watts added, " I never saw 2 such fooles sett upp for wittnesses in my life." They had, he believed, " very much altered the disposure of the House " towards the opponents of the navigation.

It is doubtful whether Fleetwood's unfortunate witnesses really swayed the House. It is more probable that the supporters of the navigation were helped by outside events. The speculative fever of the South Sea scheme appears to have penetrated into the House of Commons and made it more receptive to navigation projects. Thus on 1 March 1720 Watts reported to Aston that " the present disposition of the House of Commons is for passing all manner of Bills for navigation ". Nearly two months later, on 26 April, Seymour Cholmondeley wrote, probably to Aston, " that combination of the projectors for 6 Bills of this nature, had worked up the temper of both Houses to such a love of navigations, that, I assure you, it is a mark of peculiar favour to be suffer'd to speak against any Bill with that title ; so that I do not expect to throw out this Bill without engaging to bring in another ". Cholmondeley's prophecy that only a temporary victory was possible for the opponents of the measure was fully borne out by the events of the parliamentary sessions of 1720 and 1721.

The proceedings of 1720 began on 13 January with a petition from the justices of the peace, gentlemen, freeholders, and other inhabitants of Cheshire for leave to introduce a Bill for making the Weaver navigable

[1] My earlier reading of this name as Lawley (Willan, *River Navigation*, pp. 35–6) was incorrect.

from Frodsham Bridge to Winsford.[1] The petition was referred to a Committee which examined William Squire,[2] Thomas Steers,[3] Samuel Clements, William Marsh, and Richard Vernon. The Committee reported on 19 January that the Cheshire salt industry was depressed through a loss of foreign markets occasioned by the high cost of land carriage. If the Weaver were made navigable the cost of the carriage of salt to Frodsham Bridge would be reduced from 8*s*., 9*s*., or 10*s*. a ton to about 3*s*., and the cost of the carriage of cheese from 10*s*., 15*s*., or 18*s*. to 3*s*. Leave was given for the introduction of a Bill which was presented on 25 January and given a first reading the following day. It was not read a second time until 25 February, when counsel was heard against the Bill. Two days later counsel was heard both for and against the Bill and on 29 February it was committed by 92 votes to 67.[4] Meanwhile, the petitions had been pouring into the Commons. There were thirteen petitions against the Bill. Most of these repeated the complaints of 1715, sometimes in almost the same words, though the " freeholders and farmers " tended to emphasize more strongly the connexion between rents and land carriage by explaining that they had " long terms in their several farms " and needed the income from land carriage to pay their rents.[5] The trustees of the late Lord Gerard added the ruin of " divers ancient weirs and fisheries and several wharfs " to the destruction of their meadows.[6] Charles Cholmondeley achieved the distinction of presenting two petitions in his own name. The first protested that his meadows and salt works would be ruined,[7] but the second was more interesting. This alleged that the petition, upon which leave to bring in the Bill was granted, had been altered after it was signed.[8] It was claimed that the original petition had asked for a Bill to make the river navigable to Northwich and that, after it had been signed, Northwich had been altered to Winsford. Seymour Cholmondeley had been " so lucky as to discover this " and his brother Charles made a great effort to convince the House that this " misdemeanour " had really been committed. According to Watts, " three witneses of unquestionable reputation " were produced who

[1] *Commons' Journals*, xix. 217.

[2] On 2 December the Corporation of Liverpool ordered " that Alderman Squire and Mr. Isaac Green be desir'd to goe to London to attend and assist in the sollicitation for an Act of Parliament for makeing the river Weaver navigable in concert with our members of parliament att the charge of the Corporation " (J. A. Picton, *Liverpool Municipal Records*, ii. 51). Squire was engaged in the salt trade from Liverpool (Hughes, op. cit., p. 395). He and Thomas Steers were the undertakers for improving the river Douglas under the Act of 1720 (6 Geo. I, c. 28).

[3] In 1712 Steers had surveyed the Mersey and Irwell and he became one of the undertakers for improving those rivers under the Act of 1721 (Willan, op. cit., p. 60).

[4] *Commons' Journals*, xix. 227, 235, 237, 282, 285–6.

[5] Ibid., pp. 260, 278–9.

[6] Ibid., p. 270.

[7] Ibid., p. 252.

[8] Ibid., pp. 279–80.

proved that the petition had been altered, but the House showed " noe spiritt or resentment which is very unaccountable ". It really was rather unaccountable, for either the House was unconvinced by the three witnesses,[1] or, being convinced, it was not prepared to resent what really amounted to a breach of privilege.

On the whole the petitions against the Bill covered well-worn ground, but those in support of it were exceptional both in their number and their content. There were sixteen petitions in favour of the Bill and they showed that the promoters had mobilized opinion in their support in many parts of the country and had at last won over the salt industry. The inhabitants of Northwich and Middlewich and the proprietors of salt works there supported the navigation as the only means of " retrieving " the salt trade, which had been rendered unprofitable by the expense of land carriage.[2] The refiners of Cheshire rock salt added their plea for the cheaper carriage of their raw material. Thus the proprietors of rock-salt refineries in Suffolk and the merchants and dealers in salt of London, who were concerned in rock-salt refineries in Essex, Suffolk, Devon, Somerset, and south Wales, all declared that they used Cheshire rock salt and that the navigation would reduce the cost of its carriage.[3] Finally the consumers of this refined salt stressed the same point in petitions from Bideford, Exeter, and Haverfordwest.[4] After salt came cheese. Divers cheesemongers of London and Westminster, and the city of London itself through its sheriffs, petitioned for the cheaper carriage of cheese, " the great produce of the county of Chester ".[5] A similar demand for cheaper carriage was made for other goods. Liverpool, through its corporation, and Lancashire, through its high sheriff, deputy lieutenant, and justices of the peace, declared that they were supplied not only with salt, but with timber for ships and for other purposes from Cheshire, the price of which would be reduced by cheaper carriage.[6] The corporation of Derby claimed that the town was supplied with tobacco, sugar, molasses, wines, brandy, oil, potashes, and other goods from Liverpool, which were brought by land from Frodsham Bridge and that the navigation would lessen their price by lowering the cost of their carriage.[7] Sandbach and Congleton made a similar claim, the former adding that land carriage from Frodsham Bridge cost about 12*s.* a ton and that the navigation would save " above cent. per cent ".[8]

It was the first time that the petitions for the Bill had outnumbered those against it, but it is difficult to determine how far the House of

[1] The supporters of the navigation maintained that any alterations in the petition had been made before it was signed (*Remarks upon the Petitions preferred, and the Cases and Reasons published against the Bill to make the River Weaver Navigable*).

[2] *Commons' Journals*, xix. 277–8.

[3] Ibid., p. 278.

[4] Ibid., pp. 278, 284.

[5] Ibid., p. 252.

[6] Ibid., p. 260.

[7] Ibid., p. 278.

[8] Ibid.

Commons was impressed or influenced by such petitions. It certainly passed the Bill on 29 March 1720, but only by 108 votes to 88.[1] On 4 April the Bill was given its first reading in the House of Lords, which received fifteen petitions in its support and twelve against it.[2] Just over a month later, on 10 May, the Lords rejected the Bill by a majority of 4.[3] There is no indication in the *Journals* why they did so, but it was less a defeat than a postponement, for, as Seymour Cholmondeley explained to Aston, " we could only throw out the Bill upon a promise that we would bring in a good one to the same effect next session ". That promise was fulfilled. The petition for leave to bring in a Bill, which was now to include making Witton Brook navigable to Witton Bridge as well as the Weaver itself to Winsford, was presented on 9 December 1720 and referred to a Committee. Three days later the Committee reported in favour of the navigation, adding that several gentlemen of the county had subscribed £10,100 towards effecting it. The Bill was presented on 14 January 1721 and passed through all its stages in the Commons by 9 February.[4] It was given a first reading in the Lords two days later and passed on 14 March. No petitions were presented for or against it in either House. The Bill received the royal assent on 23 March 1721.[5]

While the Weaver Bill was passing through Parliament, the proprietors and occupiers of the brine springs in and about Middlewich had petitioned for a clause to be put into it for making navigable the Dane from Northwich " to the falling in of Wheelock Brook, and Wheelock Brook up to Wheelock Bridge ".[6] The petition was referred to a Committee which reported on 3 March 1721, on the evidence of Thomas Ellison, that the trade of Middlewich was now " upon an equal foot with its neighbours ", but if the Dane were not made navigable and if the Weaver were, it " must turn the course of trade from them, by bringing the water-carriage to Northwich and Winsford, and leaving them under the difficulty of two very long miles land-carriage in bad roads ; and so quite destroy that equality of trade which the said town now enjoys in common with them ".[7] Leave was given for a separate Bill for the Dane,

[1] *Commons' Journals*, xix. 323.

[2] *Lords' Journals*, xxi. 288, 292, 300, 302–3, 308, 310–11, 314, 316, 318. As usual the *Lord's Journals* do not give the contents of the petitions, but those in favour of the Bill were printed as a pamphlet in April 1720 (*Copies of the several Petitions to the . . . Lords Spiritual and Temporal . . . for passing the Bill to make the River Weaver . . . Navigable*). This shows that the petitions for the Bill were similar to those presented to the Commons. In many cases, except for the form of the address, they appear to have been identical.

[3] *Lords' Journals*, xxi. 324.

[4] *Commons' Journals*, xix. 379, 381, 400–2, 415, 419.

[5] *Lords' Journals*, xxi. 426, 442–3, 469–70, 472, 483.

[6] *Commons' Journals*, xix. 413.

[7] Ibid., p. 464.

which passed through both Houses without incident and received the royal assent on 7 June 1721.[1]

The long battle was over. It had been waged intermittently for more than twenty years, which entitled it to rank in duration and violence with the contemporary struggle for the improvement of the Don.[2] It had resulted in victory for the promoters of the navigation, but the events of the next decade suggest that they had exhausted themselves in the struggle.

[1] Ibid., pp. 501, 504, 534, 549, 581–2; *Lords' Journals*, xxi. 525, 527–8, 532, 534, 536.

[2] For some account of this struggle, which lasted from 1697 to 1726, see Willan, "Yorkshire River Navigation, 1600–1750", *Geography*, xxii. 195–6.

CHAPTER II

THE EXECUTION OF THE ACT

THE passing of an Act of Parliament for making a river navigable merely conferred certain legal powers on one man or one body of men. It did not ensure that those powers would be used or that the river would in fact be made navigable. This was well illustrated in the case of the Dane. The Act of 1721 [1] had empowered James, Earl of Barrymore, Sir Richard Grosvenor, Sir Thomas Brooke, Charles Cholmondeley, and Roger Wilbraham to make the river navigable, but they never made use of their powers and the Dane remained unnavigable. The Weaver Act [2] of the same year conferred similar powers on John Egerton of Oulton, John Amson of Leese, and Richard Vernon of Middlewich, who, as undertakers and trustees, could make the Weaver navigable from Frodsham Bridge to Winsford Bridge and could make Witton Brook navigable as far up as Witton Bridge. The undertakers could make provision for the towing of boats by men or horses, but they had to maintain convenient "gates and bridges, passages and styles, in all the hedges and fences in the towing-paths and ways to be set out". If they raised the level of the water in the river, the banks had to be raised in proportion. They were not to alter the course of the river so as to bring it nearer to the brine pits, rock-salt pits, or salt works of Thomas Warburton, nor to raise the level of the water within 50 yards of the pits any higher than it usually was in the winter season, nor to make any towing-paths between the pits and the river. The undertakers could levy tolls not exceeding 1*s.* 3*d.* a ton on goods carried on the river, but when all the charges of making the river navigable had been repaid, such tolls were not to exceed 1*s.* a ton. Tolls could not be levied from the riparian owners or occupiers for the use of pleasure boats or for the carriage of manure in their own boats. Nor could they be levied between Frodsham Bridge and "Pickeren's Boat", where the river was navigable at certain tides and seasons, except when the river there was not navigable without the aid of a lock. Subject to these exceptions, the river was deemed to be navigable in a legal rather than a physical sense. That is to say there was a right of passage on it for anyone who paid the necessary tolls, though the masters or owners were answerable for any damage done by their boats or crews and could be sued for such damage.

The Act, besides appointing the undertakers, also appointed, as was usual in such cases, a body of Commissioners. The main function of this

[1] 7 Geo. I, c. 17.

[2] 7 Geo. I, c. 10.

body, which consisted of eighty-six of the landed gentry of the county, was to mediate between the undertakers on the one hand and the owners and occupiers of land on the other and to assess damage to property where the parties involved could not agree. If either side rejected the Commissioners' award, a jury of twenty-four was to be summoned by the sheriff of Cheshire and its award was to be final. The Commissioners, or seven of them, could fill vacancies in their ranks, but all Commissioners had to have freehold estates in Cheshire of at least £100 p.a. in value and none was to act in cases where he was personally interested. They could order the undertakers to make bridges over new cuts and could authorize the payment to the undertakers of £9000 which fourteen subscribers had agreed to advance.[1] This sum, which was "computed to be sufficient to compleat the said work", was to be repaid out of the clear profits after the work had been completed and was to carry interest at 5 per cent, plus 1 per cent "for the risque and hazard of the undertaking".[2] If this money were insufficient, the Commissioners, or nine of them, could authorize the borrowing of more on the same conditions. Every year the Commissioners, or thirteen of them, were to meet at Middlewich or Northwich to examine the accounts and to allow the undertakers "a reasonable allowance for their trouble and care about the said undertaking" as well as all their payments, disbursements and costs. When the work was finished and the principal had been repaid out of the clear profits, the Act laid down that

> then the clear produce of the said rates and duties, shall, from time to time, be employed for and towards amending and repairing the publick bridges within the said county of Chester, and such other publick charges upon the said county, and in such manner, as the justices of the peace of the quarter sessions, to be held next week after the feast of St. Michael, in and for the said county of Chester, shall yearly order, direct and appoint.

After the repair of the county bridges, any clear produce that remained was to be used for mending the roads near and leading to the river, as these would be much used in carrying salt to the boats. If there were still a surplus, it was to be used for repairing other county roads. This order of priority in using the "clear produce" was given rather ambiguously in the Act, but it appears to mean that it should be used firstly

[1] The £9000 had been promised by the following: Langham Booth, Sir George Warburton, John Egerton, and Richard Vernon, £1000 each; Henry Legh, Randle Dodd, John Amson, Philip Egerton, Henry Mainwaring, Thomas Vernon, Israel Atherton, John Williams, Peter Warburton, and James Mainwaring, £500 each.

[2] The maximum legal rate of interest under the usury laws was 5 per cent (13 Anne, c. 15). There is no provision in these laws for an extra 1 per cent for risk or hazard, nor does a similar provision occur in other river Acts. It is not clear why the subscribers to the Weaver undertaking should have been allowed an extra 1 per cent above the legal maximum, for that undertaking was not more risky or hazardous than others of a similar nature.

for public bridges, then for roads near or leading to the river, then for other roads, and finally for " other publick charges ". Finally the Commissioners, or thirteen of them, could appoint new undertakers in cases of vacancies caused by death or refusal to act, and such new undertakers were to have full powers. Moreover, if the river were not made navigable within ten years from the 24 June 1721, the Commissioners, or thirteen of them, could appoint new undertakers, presumably without any question of vacancies caused by death or refusal to act, but once appointed these new undertakers could not be removed by the Commissioners, though they could resign.

This Act had much in common with similar measures dealing with other rivers, but it had also some unusual features. The chief of these was the provision that the clear profit should ultimately be used for the benefit of the county. This affected the position of both the undertakers and the Commissioners. The former were given the unusual title of " undertakers and trustees ", presumably because their work was regarded as a trust for the county. The wording of the Act suggests that they were meant to be more closely supervised by the Commissioners, at least on the financial side, than was customary in similar projects undertaken for the financial benefit of the promoters or shareholders. On the other hand the financial provisions of the Act itself were extremely vague. It is not clear what security the subscribers had for their £9000, except the right to receive interest at 6 per cent and the repayment of their capital from the clear profits. No provision was made for them to receive a formal mortgage of the tolls as security for their principal and interest, which was the usual procedure in such loans. Nor had they any control over the conduct of the undertaking, except such control as some of them possessed as undertakers or Commissioners. In practice this did not create difficulties, for the money was never actually subscribed. Most of these abnormalities derived from the fact that the undertaking was to be a combination of public and private enterprise. Events were to show that such a rare combination was difficult to maintain and operate.

The undertakers named in the Act were said to have good estates in the county,[1] but little else is known of John Egerton [2] and John Amson,[3] neither of whom seems to have played much part in the agitation for the Act. Richard Vernon, on the other hand, had played a more prominent part. He was an attorney [4] with a residence and estate in or near

[1] *Remarks upon the Petitions preferred, and the Cases and Reasons published against the Bill to make the River Weaver Navigable.*

[2] He was presumably the John Egerton of Oulton who was born in 1656 and who died in 1732 (G. Ormerod, *The History of the County Palatine and City of Chester*, ii. 222).

[3] He was presumably the John Amson of Leese who died in January 1735, aged 50 (Ormerod, op. cit., iii. 107).

[4] Add. MSS. 36,914, f. 40.

Middlewich[1] and a salt works at Winsford which was said to produce 40,000 bushels of salt p.a.[2] In 1709 "Dick Varnum", as Shakerley called him, had been one of the chief supporters of the proposed navigation, but it is possible that Shakerley exaggerated the rôle Vernon then played, for in 1715 "Mr. Vernon" was opposing the measure.[3] This was probably Richard Vernon, for in 1720 the promoters of the navigation declared that he had opposed a former Bill on the grounds that it only provided for making the river navigable to Northwich.[4] Whatever Vernon's attitude had been towards the earlier agitation, it is clear that he was an active supporter in 1720, when Charles Cholmondeley described him as "the chief agent in the undertaking".[5] Moreover, he claimed to have spent £2000 in obtaining the Act of 1721 and this "extraordinary demand for £2000 for his bill of charges for procuring the Act" caused "some unhappy differences", which led Vernon to be described as "the great obstacle to the navigation".[6]

At the first meeting of the Commissioners, held at Northwich on 11 October 1721, Vernon "exhibited his accounts . . . touching the passing the said Act and procuring thereof and touching his expenses and trouble in the said undertaking" and made "severall proposalls touching the carrying on this navigation". Consideration of these matters was deferred. They were probably considered informally, for no further meeting of the Commissioners was held until a year later, when Vernon offered to undertake the work himself if he were vested with full powers as "sole undertaker". He proposed that if he completed the navigation in the time allowed by the Act for a sum less than £9000, he should still be allowed £9000 out of the tolls. If the cost were more than £9000, he should be allowed whatever it amounted to. This was accepted by the subscribers, the Commissioners, and the other two undertakers, who agreed to petition for a new Act if that were necessary, allowing Vernon £200 towards the cost of the Act if it were unopposed. If it were opposed, they would allow him whatever the Act cost. Vernon took no action under this agreement and did not even attend a meeting of 23 March 1723 at which he was supposed to report progress. The Commissioners, therefore, found themselves unable to proceed with the agreement. "It has been notorious," they declared, "that all former proceedings of the Commissioners . . . have been rendered fruitless by his

[1] *Remarks upon the Petitions preferred, and the Cases and Reasons published against the Bill to make the River Weaver Navigable.*

[2] *Reasons Humbly Offered By the Trustees of Richard Vernon, Esq., deceased.*

[3] Add. MSS. 36,914, f. 54.

[4] *Remarks upon the Petitions preferred, and the Cases and Reasons published against the Bill to make the River Weaver Navigable.*

[5] *The Case of Charles Cholmondeley, Esq.*

[6] *Reasons Humbly Offered For passing the Bill for making the River Weaver Navigable.*

[Vernon's] exorbitant demand of upwards of two thousand pounds, for recompenses and charges in procuring this Act." They therefore made " this our protest against the said actings of the said Mr. Vernon ". It was a complete deadlock, for the Commissioners would not accept Vernon's bill of costs and the two other undertakers could not or would not work with him. Thus for four years the Commissioners merely met annually to fill vacancies in their ranks.

Despite the Commissioners' inactivity, attempts were made to break the deadlock in 1726 and 1727. The details of these attempts are obscure, for they were not recorded in the Commissioners' Minutes. Apparently it was decided that a new Act of Parliament was necessary, for on 10 March 1726 a petition was presented to the Commons from the gentlemen, freeholders, and inhabitants of Cheshire stating that the Acts of 1721 dealing with the Weaver and Dane had been " altogether ineffectual " and asking for leave to introduce a Bill for improving both rivers. The petition was referred to a Committee which reported that nothing had been done to improve the Weaver because of Vernon's unreasonable demands and because of the refusal of the other undertakers to act with him. Though leave was given to bring in a Bill to repeal the two former Acts and replace them by a more effective one, such a Bill was not introduced.[1] Two months later, in May 1726, Vernon died and his death made possible a new approach to the problem. It would seem that some sort of an agreement was reached between the surviving undertakers, John Egerton and John Amson, and two prospective undertakers, Thomas Patten and Thomas Eyre, with whom was associated John Dickenson.[2] These three men appear to have been behind the attempt to get a new Act in March 1726 and they now tried to get an Act for making the Weaver navigable from Frodsham Bridge to Northwich. Although the navigation was to extend only to Northwich and not to Winsford, the maximum tolls were still to be 1*s.* 3*d.* a ton, but £550 p.a. was to be paid from such tolls to the county for the repair of roads and bridges.[3]

A Bill for this purpose, and for improving the Dane, which also involved repealing the former Acts, was read a first time in the Commons on 9 March 1727. It passed its third reading on 17 April, although only one petition, from the cheesemongers of London and Westminster, had been presented in its support.[4] The petitions and pamphlets [5] against the Bill showed that it had aroused considerable opposition outside the House. There were many grounds for such opposition. The proposal

[1] *Commons' Journals*, xx. 608, 631, 639.

[2] *Reasons Humbly Offered For passing the Bill for making the River Weaver Navigable.*

[3] *Reasons Humbly Offered Against allowing the County of Chester any Part of the Tonnage Duty for making the River Weaver Navigable.*

[4] *Commons' Journals*, xx. 744, 771, 794, 804, 832, 838.

[5] See Appendix I for a list of these pamphlets.

to carry the navigation only to Northwich aroused the Winsford salt proprietors. Thus Charles Cholmondeley prayed that " a reasonable satisfaction may be made him for the loss which he must suffer by carrying the said navigation no further than Northwich only ".[1] Jane Vernon, Richard's widow, declared that the Bill would make her late husband's salt works at Winsford " of very little, if any, value ". Her petition of 20 March 1727 was withdrawn two days later and presented again in the names of Thomas Vaudrey and Jane his wife, late widow of Richard Vernon.[2] Jane had not remained a widow for very long. The main opposition, however, was aroused by the proposals to allow the undertakers a toll of 1*s.* 3*d.* a ton and to allow the county £550 p.a. from the yield of such a toll. The merchants and traders in and near Manchester thought that the undertakers should be allowed only such tonnage dues " as will be sufficient for the purposes of the said navigation, and the increase of the trade of Manchester ".[3] This view that the tonnage dues should only be large enough to perfect the navigation, without leaving a surplus for the county, was also expressed by the salt proprietors in and around Northwich, who considered that 8*d.* a ton was sufficient for making the river navigable to Northwich,[4] and by the mayor, bailiffs, and burgesses of Liverpool, who were prepared to undertake the work themselves for 8*d.* a ton.[5] The latter were not the only people who offered to undertake the work. Charles Dukenfield, John Daniell, William Blackburne, Thomas Butterworth, and John Reddish petitioned to be undertakers on the grounds that they were willing to make the river navigable on " terms more beneficial for trade, and for the publick advantage of the said county, than any others that have been proposed ".[6] Their terms consisted of two alternate schemes. If they were allowed 1*s.* 3*d.* a ton, they would, after five years, pay to the county £600 p.a. for thirty years and at the end of that time would deliver up to the county the river and the works in good repair. If they were allowed 1*s.* a ton for fifteen years, without any payment to the county, they would deliver up the navigation to the county at the end of that period.[7] These offers were not accepted, but they show that there was a division of opinion over the right of the county as a whole to benefit financially from the navigation, a division that was to reappear some thirty years later. The same division is implied in the petitions to the Lords, where the Bill was given a first reading on 27 April 1727. The following day it was read a second time and committed. It never emerged from the Committee, where presumably it was defeated.[8]

[1] *Commons' Journals*, xx. 815.
[2] Ibid., pp. 806, 810.
[3] Ibid., p. 815.
[4] Ibid., p. 832.
[5] Ibid., p. 804.
[6] Ibid., pp. 805–6, 833.
[7] *Proposal Humbly Offered For Making the River Weever Navigable, from Frodsham-Bridge to Northwich in the County of Chester.*
[8] *Lords' Journals*, xxiii. 103, 106–8, 112.

The defeat of the Bill left the Commissioners with two problems. Firstly those who had sponsored the Bill expected that their expenses would be allowed as a charge on the future navigation. Those expenses had been heavy. George Legh, who acted as a sort of parliamentary agent for Patten, Eyre, and Dickenson, sent them a bill for £386 3*s*. This included such items as 6*s*. 8*d*. for drawing the petition for the Bill, £5 5*s*. for " drawing the Bill very long ", £2 2*s*. for " a wide fair copy of the Bill " for the Speaker, 13*s*. 4*d*. for drawing the petition of the cheesemongers, and £54 for " fees on second reading ". Patten, Eyre, and Dickenson sent in claims for £931 2*s*. 7*d*., which included part of Legh's expenses. After various abatements and additions, the latter including £164 13*s*. 10*d*. still due to Legh, the Commissioners accepted £1006 18*s*. 2*d*. as a charge on the future navigation. The other outstanding claim, that of the late Richard Vernon, which had passed to his widow's husband, Thomas Vaudrey, was settled by Vaudrey agreeing to accept 500 guineas with interest at 5 per cent from 9 October 1727. He was not actually paid until 1737 when the 500 guineas with accumulated interest amounted to £787 10*s*.

The second problem which faced the Commissioners was a more difficult one. It was to find, not so much undertakers, as undertakers who would really improve the river under the terms of the Act of 1721. John Egerton and John Amson were, of course, still legally undertakers, but it seems clear that they had no intention of exercising their powers. Thus on 11 October 1727 the Commissioners resolved that, if Egerton and Amson would resign, they would appoint Philip Egerton, Henry Wright, and Roger Wilbraham as undertakers and that they, the Commissioners, could each subscribe £100 or more towards the cost of the undertaking. The Commissioners did not in fact subscribe towards the cost of the work, nor did Egerton and Amson resign until a year later. In the interval John Daniell of Daresbury was appointed undertaker in place of the late Richard Vernon, but he probably died soon afterwards, for he was not mentioned when, on 9 October 1728, John Egerton and Amson resigned, and Philip Egerton, Roger Wilbraham, and Henry Wright were appointed undertakers. The three new undertakers did nothing at all and it was not until 22 December 1729 that concrete proposals for making the river navigable were put forward. These were made, not by the undertakers, but by Thomas and Jonathan Patten, Thomas Eyre, and John Dickenson, who proposed that the existing undertakers should resign, that they should be appointed in their places, and that the subscribers should give up their rights of subscription to them. If these proposals were accepted, they asked for seven years in which to finish the work, for £1000 for their trouble in carrying it out, and for an allowance of all their former expenses. They would submit their accounts to the annual meeting of the Commissioners and these were to carry 6 per cent interest from that time. In

addition they were to be allowed half a year's interest upon each year's account so submitted,[1] and all wages, taxes, and cost of repairs were to be charged upon the navigation so " that the interest may come clear to the undertakers ". In return they agreed to give an account at the annual meeting of all money received for tonnage and to resign when they had received back with interest all the money expended on the navigation.

These important proposals were not formally accepted at the meeting on 22 December, but it was stated that the Commissioners, subscribers, and undertakers would try to get them confirmed at the next meeting, presumably in the following October when the statutory meeting for the presentation of accounts would be held. In the meantime it was assumed that they would be accepted, for on 23 February 1730 Thomas Eyre, Thomas Patten, and John Dickenson were ordered by the Commissioners to lay in materials and complete the work " in the most substantial and durable manner that can be ", but they were not to spend more than £12,000 without the Commissioners' permission. In addition the tonnage dues were to " be husbanded to the best advantage of the county ". These somewhat informal, if not irregular proceedings were put on a sounder legal basis at the Commissioners' meeting on 7 October 1730, when Egerton, Wright, and Wilbraham resigned and Thomas Eyre of Stockport and Thomas Patten of Warrington were appointed undertakers. John Dickenson, linen draper of Manchester, was not appointed until 13 October 1731 and Jonathan Patten was never appointed an undertaker, though apparently on Eyre's death it was proposed to appoint him, " but no such appointment was executed, though he all along joined in the said undertaking ".[2] The new undertakers were granted an additional £1000, over and above the £1000 already agreed to be given to them, on condition that they perfected the navigation within one year after 25 March 1731. If they perfected it within two years of that date they were to receive £800 " and so to decrease two hundred pounds annually till the navigation be perfected ". The reference to the £1000 already agreed to be given to the undertakers, suggests that they were carrying out the work on the basis of their proposals of

[1] The actual accounts of the navigation show that this rather obscure condition meant that the undertakers were to receive half a year's interest at 6 per cent on the amount they spent on the navigation during the year. They were credited with this interest in the years 1734–6, but in 1737 the credit was cancelled and there is no further reference to it in the accounts. At the same time the undertakers were paying half a year's interest at 6 per cent on the tonnage dues they received during the year. They were debited with this from 1734–6, but the debt was cancelled in 1737 and there is no further reference to it. Presumably some agreement was reached on these payments in 1737, by which they were mutually abandoned, though there is no reference to this in the Minutes.

[2] " A retrospective summary of the River Weaver Trust " (Arley MSS.).

22 December 1729, though no mention was made of these at the time of their appointment as undertakers.

It is clear that work was proceeding on the Weaver in 1730. The Commissioners, as well as appointing the new undertakers, began the appointment of an administrative staff for the navigation. On 7 October 1730 Thomas Faithfull of Middlewich was appointed clerk and granted 10 guineas for his trouble and attendance in the past, for he had in fact been acting as clerk to the Commissioners since 1721. His salary was not decided upon until October 1731, when it was fixed at £30 p.a. Thomas Bradshaw and John Priestner were appointed to look after and inspect the tonnage at salaries of £40 p.a. each and Thomas Robinson was to be " surveyor general of the works " also at £40 p.a. By February 1731 the Commissioners were dealing with a claim for compensation from Frances Fleetwood for trees cut down by the undertakers, who very arbitrarily had felled them without permission and without offering compensation, and for a quarter of an acre of land near Acton Bridge. The claim was settled for £39. In May they allowed Samuel Metcalfe's bill for £26 9*s*. 5*d*. for timber and for 22 perches of land for a lock near Northwich.

Meanwhile, the undertakers were spending large sums on the river, but unfortunately it is not possible to determine exactly what works they were carrying out. Between May and October 1730, which was before they had been officially appointed undertakers, they spent £6453 5*s*. 10½*d*., including the £1006 18*s*. 2*d*. allowed to them for former expenses. The main item was nearly £4000 for " timber used for the locks in 1730 ". In addition there were other payments for locks which presumably included the cost of labour. Thus Thomas Patten had paid out £594 " in part of his disbursements for 3 locks " and £29 1*s*. had been paid to " Peter Walley engineer in part of £300 for one lock ", which suggests that the undertakers employed contractors to build some of the locks. Between October 1730 and October 1731 a further £6321 5*s*. 3*d*. was spent, of which £1638 7*s*. 2*d*. was for timber, £1220 was for part of Patten's disbursements for three locks, and £851 2*s*. 1½*d*. was paid to John Wood " in full for 3 locks ". By October 1731 the amount due to the undertakers, including £387 3*s*. 11*d*. for interest, was £13,161 15*s*. 0½*d*. The heavy capital expenditure was by then over, for in the next twelve months, from October 1731 to October 1732, only £1933 7*s*. 7¼*d*. was spent, which included a final payment of £313 5*s*. 0½*d*. by Patten for three locks. The interest charges in that year were £789 14*s*. 1*d*., and as these charges were still being met out of capital, that is to say they were simply added to the amount due to the undertakers, by October 1732 the amount so due was £15,884 16*s*. 8¾*d*.

It is impossible to say precisely how this money had been spent. The accounts are detailed in the sense that they often record quite

trivial items of expenditure, but they do not show where the locks were built, or how many were built, or how much each cost. From later evidence it would seem that locks had been built at Pickerings, Dutton Bottoms, Acton Bridge, Saltersford, Winnington, Northwich, Hunts, Hartford, Vale Royal, Newbridge, and Butty Meadow.[1] These were certainly pound locks and not the more primitive "flash" locks or weirs which were in use on some river navigations.[2] They seem to have been constructed largely of wood, as no doubt were their attendant weirs. Apart from building locks, the undertakers appear to have laid out towing-paths, but only for towing by men, not by horses. They may have done some dredging, or "scouring" as contemporaries called it, but there is no evidence of this or of their making cuts to straighten the course of the river.

Though details of the undertakers' work are lacking, there is no doubt as to its result. The Weaver was made navigable to Winsford,[3] though nothing was done to improve Witton Brook until very much later. Officially the navigation was completed some time between 25 March 1732 and 25 March 1733, for the Commissioners allowed the undertakers the £800 which they had agreed to give them if the work were finished during that time. The undertakers appear to have asked for the full £1000 promised to them if the work were perfected by 25 March 1732, but this the Commissioners refused. No doubt perfection was a disputable term, not strictly applicable to a navigation any more than to man, but if the Commissioners could claim that the work was not really completed by Lady Day 1732,[4] the undertakers could have pointed out that the river had then been open for traffic for nearly three months. On 1 January 1732 began the recording of the boats and their cargoes and the tolls payable on those cargoes.[5] Such records show that the Weaver was navigable between Frodsham and Northwich for a boat

[1] The Commissioners' Minutes show that these locks existed in 1742.

[2] For a description of these, see Willan, *River Navigation in England*, pp. 87–8.

[3] In 1734 an Act (7 Geo. II, c. 28) was passed for extending the navigation from Winsford to Nantwich. This appointed William Maisterson and Thomas Williams, both of Nantwich, as undertakers with the usual powers, including the right to levy tolls not exceeding 3*s.* a ton. This Act was never carried out "owing to the jealousies and disputes betwixt the inhabitants and the persons employed to solicit the Act, who were deemed to have acted too partially in favour of themselves, and precluding in a great measure the advantages the other subscribers to the expence in obtaining the Act ought to have enjoyed" (J. Partridge, *An Historical Account of the Town and Parish of Nantwich*, p. 59).

[4] It is probable that the navigation was not completed to Winsford by Lady Day 1732, for the first of the Winsford tonnage books begins on 18 April 1732.

[5] Calvert, op. cit., pp. 600–1, was wrong in thinking that "the first salt shipments paying toll" were entered on 1 October 1733 and that the first Winsford shipments were entered on that day.

carrying 45 tons of rock salt [1] and between Northwich and Winsford for boats carrying up to about 38 tons. Thus those who had always maintained that the Weaver was "capable of being made navigable" were proved to be correct. The first of January 1732 was not an altogether unimportant New Year's Day in the history of Cheshire.

[1] This was the largest cargo recorded in 1732. It was carried in the *Betty*.

CHAPTER III

THE REIGN OF THE UNDERTAKERS

THE "official history" of the Weaver navigation as recorded in the Commissioners' Minutes is negligible in the first quarter of a century after the river was made navigable. Whatever had been the intention of the Act of 1721, and, as has been suggested, that Act appeared to confer unusual powers of control by the Commissioners over the undertakers, in practice the Commissioners exercised very little control over or supervision of the navigation. They never, of course, formally resigned their functions and they were careful to fill vacancies in their numbers caused by death or resignation. Yet it is clear that they took a restricted view of their statutory duties and were apathetic in carrying them out.

The main duty of river commissioners was to mediate between the undertakers and the riparian landowners in cases of dispute over damages and compensation, but very few of such cases arose in connexion with the Weaver. The completion of the navigation may have caused some of that flooding and damage to property which the landowners had feared, for on 11 October 1732 the Commissioners ordered Samuel Harrison and Thomas Anderton to view damage done by the undertakers to lands adjoining the river. Harrison and Anderton, who were paid 3½ guineas each for their survey, presented their "book of damages" [1] in the summer of the following year, for on 15 August 1733 this was ordered to be lodged in Faithfull's hands, where it was to be open to inspection by the landowners. Faithfull was to take an account of those who agreed to the damages as assessed in the book and to enter the claims of those who did not. There is no record of any such claims, but eight years later, on 4 November 1741, the Commissioners, having been informed "that the locks upon the river Weaver since the last survey of Anderton and Harrison have been raised or capped whereby further damages have accrewed", ordered a new survey to be made of lands lost or flooded and of damage to fords and weirs. This survey was to be made by two persons appointed by the undertakers and any person or persons appointed by the landowners. On 3 May the representatives of the undertakers, Thomas Walley and John Gilbody, met the landowners' representatives, John Mort, Charles Ollier, and Thomas Weston, but the latter refused to act when they learned that only additional damage caused by raising

[1] It is probable that a "damage book" covering the years 1736–85 (Northwich MSS.) was based upon Harrison and Anderton's survey. It records small annual payments, which apparently included payments for the right to use the towing-path. From 1736 to 1742 these payments averaged £39 15*s.* 10½*d.* p.a.

the level of the locks was to be viewed. Walley and Gilbody proceeded to view the river and reported to a meeting of the Commissioners on 13 October 1742 that the locks had been raised in height by amounts varying from 5 to 10 inches and that 11 roods of land were affected by this. No action seems to have been taken by the Commissioners, for thirty years later a new survey and estimate of damages were ordered to be made on the grounds that the survey and estimate of 1733 were out of date. Nor was any action taken on a further complaint that the the river had grown wider " by the rubbing of vessells on the banks and that the banks have more frequently slip'd in since the river was made navigable than before, which is said hath occasioned several large pools in the navigable part of the river ". This had been investigated by Walley and Robert Pownall on 7 May 1742, but as they had found as large slips in the banks and as large pools in the river above Winsford, where it was not navigable, as below, where it was, the Commissioners accepted this as proof that such damage was not caused by the navigation. It is interesting that there were not more complaints of damage to land, especially in view of the stress which the opponents of the navigation had laid upon the possibility of such damage. It is rather surprising too that when such complaints were made, the Commissioners, who consisted of county gentry, should have treated them in what appears to have been a rather cavalier fashion.

Apart from dealing with compensation for damage to land, the Commissioners exercised very little control over the undertakers. Occasionally they issued direct orders, as on 7 October 1741 when they told the undertakers to repair New Bridge which had been damaged by the passage of boats and on 13 October 1742 when they ordered Plumbs Bridge to be repaired. Occasionally they took decisions on major matters of policy. Thus on 10 June 1732 they " did approve and consent that the undertakers . . . should lower the tonnage up the river, (vizt.) of coles, flintstones, iron mine, pipe clay, paving stones, lyme stones, slate, flaggs, and ashlors to ten pence per tonn, the undertakers engaging to raise it againe if the trade will bear ". No explanation was given for this decision, though it may have been merely an obvious discrimination in favour of heavy goods of rather low value, which had hitherto paid the maximum toll of 1*s*. 3*d*. a ton. A year later the Commissioners ordered that boatmen carrying such goods, who gave a false account of their cargoes, were to pay the full tonnage of 1*s*. 3*d*. Apparently by 1740 " the trade " would in part " bear ", for on 9 October of that year the undertakers raised the tonnage dues on coal, flintstones, pipe clay, slate, flags, and ashlars to 1*s*.[1]

[1] " Thomas Patten and John Dickenson to John Priestner and Robert Pownall ", 9 October 1740 (Arley MSS.). There is no record of this increase in the Commissioners' Minutes.

Such decisions, which directly affected the undertakers, were rare, but the Commissioners may have exercised some indirect influence over the navigation through their control of the administrative staff. They had begun the appointment of such a staff in 1730 and they never lost control over its members. Thus on 10 October 1733 the Commissioners dismissed James Lem, a clerk at Frodsham, because he was " an useless officer ". At the same time they resolved that no clerk of the navigation " shall directly or indirectly on his own account or on the account of any person whatsoever trade on the said river ". When, two years later, it was reported that Isaac Wood, a clerk at Winsford, was trading on the river, he was given the choice of ceasing to trade or ceasing to be clerk. He chose the latter and was succeeded by Robert Pownall at the same salary of £40 p.a. The Commissioners not only appointed and dismissed the staff, they also determined their salaries. Thus John Priestner, who had been appointed an inspector of tonnage at £40 p.a. in 1730, had his salary increased by £20 three years later on condition that he kept an assistant to enable him to discharge his duties. This arrangement would effect a saving of £20 p.a., for in 1730 Thomas Bradshaw had also been appointed an inspector of tonnage at £40 p.a., but Bradshaw had died some time before October 1732 and no one had been appointed in his place. Bradshaw had also had the duty, in company with Thomas Robinson, of inspecting the undertakers' accounts. On his death, this part of his work had been given to Thomas Faithfull, without any increase of salary. Thomas Robinson, the " surveyor general of the works ", was granted a gratuity of £63 in 1735 for his faithful services as " inspector of the navigation " and for the great saving he had effected in the buying of timber. His appointment as surveyor general then ceased, but he was granted 10 guineas p.a. " for his attendance in the stateing and settling the undertakers' accounts ". This was increased to £12 p.a. in 1753, but out of that he was to pay his own expenses. Other salaries were not increased in 1753 despite a general order that the clerks, after being allowed £5 for their last year's expenses, were in future to meet those themselves. The office of surveyor general appears to have lapsed with Robinson's resignation in 1735. Presumably it had involved inspection of the works under construction and was no longer necessary when these were completed. It was revived in 1758, when new works were contemplated, with the appointment of Pownall as " inspector and superintendant of the navigation ".

This small administrative staff, whose salaries were recorded individually in the accounts and who did not, of course, include the lock-keepers, consisted of five men in the early seventeen-forties. John Priestner was inspector of tonnage at Northwich with £60 p.a., from which he had to pay an assistant, who was probably John Dicken who succeeded him in 1758. Robert Pownall was inspector of tonnage at

Winsford with £40 p.a., Thomas Faithfull was clerk to the Commissioners at £30 p.a., for which he had also to inspect the undertakers' accounts, a duty which he shared with Thomas Robinson, who received £10 10*s*. and later £12 p.a. Finally a Thomas Parcey received £15 p.a., but there is no mention in the Minutes either of his appointment or his duties, though he may have been an inspector of tonnage at Pickerings. These men, though they were appointed by the Commissioners, were paid their salaries out of the tonnage dues by the undertakers, for the Commissioners had no funds at all at their disposal. This arrangement does not seem to have caused any difficulties, but in fact the whole relationship between the administrative staff and the undertakers is obscure. The former were, in one sense, watchdogs of the Commissioners, with the function of preventing fraud on the part of the undertakers, just as the Commissioners themselves were guardians of a trust, the ultimate beneficiary of which was the county. On the other hand the inspection of tonnage, with the object of preventing fraud on the part of shippers, was at least as much in the interests of the undertakers as of the Commissioners. The undertakers could hardly resent the activities of Priestner and Pownall, unless they were inefficiently carried out, of which there is no evidence, especially as those activities did not in fact give the Commissioners any real control over the navigation.

One final function of the Commissioners might have given them some control over the undertakers. They had the right, indeed the duty, to examine the accounts annually. Even this became a formality in which the letter of the law was not observed, for the accounts for a number of years were sometimes passed at a single meeting. Thus the accounts for six years were passed at the Commissioners' meeting on 7 October 1741. The accounts for 1745 to 1752 were approved at the meeting on 11 October 1752, when for the first time for seven years a quorum attended. It may be true that other river commissioners took their duties lightly, but the Weaver Commissioners were in a special position as custodians of the county's interest in the navigation. Yet they themselves showed practically no interest in the Weaver and its traffic. They held thirty-six meetings in the quarter of a century from 1732 to 1756 inclusive and at fifteen of these no business was transacted. No business could be transacted for there was not a quorum. For a meeting on 31 December 1733 the Minute reads " no Commissioners appearing, nothing was done ". On 19 May 1736 " only Philip Henry Warburton, esq. appeared—nothing done ". Five Commissioners attended the meeting on 8 October 1738 and four on 10 October 1739 and nothing was done on either occasion. In the 'forties the situation grew worse. In October 1745 and 1746 only Philip Egerton appeared and " nothing done ". From 1747 to 1751 the attendance varied from two to six, and the meetings received the laconic entry, " there not being a number, nothing done ".

Thus for seven years the Commissioners could transact no business at all, and even when there was a " number ", they often only appointed new Commissioners or gave formal approval to the accounts. Number or no number, they dined. The three Commissioners who attended the meeting on 10 October 1750 spent £7 9*s.* 8*d.* at " Cath. Merry's " in Northwich.

The failure of the Commissioners to take any real interest in the navigation left the undertakers with practically a free hand. How they used their freedom it is not easy to say, but certain salient features of the navigation can be determined during this period. These features are clearest on the financial side, for the accounts are still extant, though they are not always easy to interpret. The accounts show that the revenue from tonnage increased steadily. From 1 January 1732 to 29 September 1740 the average yield of the tonnage dues was £1521 10*s.* p.a. During the next decade it was £2178 11*s.* p.a. and from 29 September 1750 to 29 September 1757 it was £2744 9*s.* 8*d.* Even allowing for a slight rise in the tonnage rates in 1740, these figures show a steadily increasing trade on the river. On the other side of the accounts, the expenses, though they rose during the period, were on the whole very low. Thus from 1733 to 1740 they averaged only £669 4*s.* 2*d.* p.a.[1] During the next decade they averaged £716 9*s.* 10*d.* p.a. and from 1750 to 1757, £1025 3*s.* 11*d.* p.a. These figures do not, however, include the interest charges on the capital sunk, but not lost, in the river.

The capital employed in making the river navigable remains something of a mystery. In October 1732, when the work had been practically completed, the amount owing to the undertakers was £15,884 16*s.* 8¾*d.* During the next twelve months they were granted the £1800 promised to them for perfecting the navigation and on 29 September 1733 the amount owing to them was £18,021 11*s.* 3¾*d.* There is no evidence of how the undertakers raised this money, whether from their own resources or by borrowing. It is most probable that they found the capital from their own resources, for Patten at least seems to have been a wealthy and successful trader. There is no mention of any creditors having a financial interest in the river, other than the undertakers themselves. This capital, however it was raised, carried interest at 6 per cent, as laid down by the Act of 1721. While work on the river was in progress the interest was paid out of capital, or, in other words, the interest was added to the amount owing to the undertakers. When the river had been made navigable, the income from tonnage dues was available to meet the annual expenses and the interest charges, but throughout the 'thirties the revenue was not quite sufficient to cover both the expenses of upkeep and the interest charges. From 1733 to 1740 the interest charges averaged £1132 3*s.* 10*d.* p.a., the expenses were £669 4*s.* 2*d.* p.a., making a total

[1] From Michaelmas 1736 to Michaelmas 1737 the expenses were £1219 16*s.* 7¾*d.*, but this included the payment of £787 10*s.* to Thomas Vaudrey.

of £1801 8*s*., which was about £280 p.a. more than the revenue from tonnage. This annual deficit was added to the amount owing to the undertakers, which on 29 September 1740 was £19,648 12*s*. 7¼*d*.

The 'forties saw an improvement in the financial situation, with the interest charges averaging £1110 10*s*. p.a., the expenses of upkeep £716 9*s*. 10*d*. p.a., making a total of £1826 19*s*. 10*d*. p.a. as against an annual revenue from tonnage of £2178 11*s*. The clear profit was thus about £350 p.a., which was used for the repayment of capital and brought a corresponding fall in the interest charges. By Michaelmas 1750 the amount owing to the undertakers was £16,207 9*s*. 1½*d*. With the higher tonnage revenue of the seventeen-fifties, this process was accelerated. From Michaelmas 1750 to Michaelmas 1757 the interest charges averaged only £807 9*s*. 9*d*. p.a. and the expenses £1025 3*s*. 11*d*. p.a., making a total of £1832 13*s*. 8*d*. p.a. With a tonnage revenue of £2744 9*s*. 8*d*. p.a., this left a clear profit of about £911 16*s*. p.a., or £6382 12*s*. for the seven years. Thus by Michaelmas 1757 the amount owing to the undertakers was given as only £9809 4*s*. 7¼*d*. This figure was disputed by the undertakers who claimed that £17,571 0*s*. 9¾*d*. was still due to them. According to a nineteenth-century statement, which it is not possible to verify, differences had arisen between the Commissioners and the undertakers "by reason whereof no account was settled between them for above 27 years, the undertakers refusing to sign the accounts drawn up by order of the Commissioners".[1] Presumably the undertakers kept some sort of accounts which showed why £17,571 0*s*. 9¾*d*. was still due to them, but unfortunately these do not seem to have survived. In their absence it is very difficult to get at the truth of the matter. The fact that the undertakers were bought out for £17,000 in 1758 suggests that their claim was a just one, but the Commissioners maintained that £9809 4*s*. 7¼*d*. of the £17,000 was the balance due to the undertakers and the remainder was "a further sum allowed them for assigning over their power to the Commissioners". This seems to be the most reasonable explanation, for if more than £17,000 were really due to the undertakers in 1757, then the accounts which the Commissioners approved were false. Those accounts showed that between 1740 and 1757 income had exceeded expenditure by nearly £10,000 and it is difficult to see where this profit had gone if it had not been used to reduce the capital of the undertaking. It is equally difficult to avoid the conclusion that the undertakers had done quite well out of the river during the years of their reign.

The undertakers could not have done so well had the river not carried an increasing amount of traffic. The rising revenue from tonnage dues gives a general picture of that increase, but it is not without interest to attempt a more detailed analysis of the sources of that revenue. In the first full year after the opening of the navigation, from Michaelmas 1732

[1] "A retrospective summary of the River Weaver Trust" (Arley MSS.).

to Michaelmas 1733, the river carried goods totalling 18,930 tons 7 cwt. These consisted of 7954 tons 15 bushels rock salt, 6988 tons 25 bushels white salt, 2634 tons 19 cwt. coal, 534 tons 6 cwt. paving stones, 225 tons 14 cwt. oak and other timber, 219 tons 18 cwt. limestone, 167 tons " merchants' goods ", 126 tons 19 cwt. flintstones, and 79 tons 10 cwt. pipe clay. Thus salt accounted for about 79 per cent of the total and was the only important cargo carried down the river. The coal, paving stones, limestone, flintstones, and pipe clay all came upstream, as did most of the timber and " merchants' goods ". The category of " merchants' goods ", which persisted throughout the century, covered a wide variety of commodities, going both up and down the river. These goods would defy analysis even if they were always specified, which was not the case. They included imported commodities, probably re-shipped from Liverpool, such as wine, brandy, tobacco, sugar, molasses, prunes, raisins, anchovies, and train oil. Materials for the boats themselves were brought upstream, including " blocks, ropes, ocham, and 4 anchors " and a " mast pole and rigging ". Downstream went " cratesware " from the Potteries [1] and a very little cheese, not more than 16 tons 15 cwt.[2] These cargoes of " merchants' goods ", which included " 8 hampers spaw water ", " household goods ", clover seeds, crates of bottles, casks of brushes, baskets of pewter, and packs of Manchester wares, are scarcely susceptible of sophisticated statistical manipulation. Nor would such manipulation be very illuminating even if it were possible, for it would not affect the simple fact that salt and coal dominated the trade of the river.

During the following decade the trade increased. In the twelve months from Michaelmas 1742 to Michaelmas 1743 it amounted to 31,483 tons 7 cwt. Salt accounted for 19,042 tons 7 bushels,[3] or 60 per cent of the total, and coal for 8457 tons 2 cwt., or 27 per cent of the total. The other categories were 1295 tons 7 cwt. merchants' goods, 972 tons timber, 562 tons 7 cwt. pipe clay, 520 tons 5 cwt. iron mine, 465 tons 1 cwt. flintstones, 169 tons limestone, and 72 tons 4 cwt. paving stones. Thus there had been a considerable increase in the trade of all goods except limestone and paving stones. This was particularly the case with merchants' goods, but a quantitative analysis of these is more difficult than it was ten years before. Sometimes these goods were grouped together and only the weight of the total cargo was given. Sometimes the entry of a cargo ended with " &c.", which was not very helpful, nor

[1] In 1734 and 1735 some of the crates were " from Mr. Thomas Wedgwood ". Tonnage Book, 1732–5 (Northwich MSS.).

[2] Probably less, for some of the entries of cheese have " &c." after them.

[3] It is difficult to separate the two kinds of salt in the tonnage book from which this figure is drawn as some of the entries of rock salt appear to have got out of line and to have thereby strayed into the white salt column. If this is ignored, the figures are : rock salt, 8239 tons 16 bushels ; white salt, 10,802 tons 33 bushels.

was the introduction of a new category described as " sundrys ". Despite these difficulties, it seems clear that the merchants' goods included those miscellaneous commodities which had figured in the cargoes of 1732–3. The wine, tobacco, sugar, molasses, and prunes were still going upstream ; the small quantities of cheese, less than 3 tons, were still being carried down the river. There seems, however, to have been some increase in the carriage of metals. Small quantities of tin, copper ore, and calamine, and fairly large quantities of pig metal, amounting to 272 tons, came up. Some 98 tons of iron were carried of which the bulk went downstream. The greatest increase, however, was in cratesware, which seems always to have been precisely recorded and of which 332 tons were sent down the river. The rôle of the Weaver as an outlet for the Potteries before the building of the Trent and Mersey canal might well repay fuller investigation by historians both of inland communications and of the pottery industry.

By the 'fifties the Weaver was beginning to show a substantial profit, which was the result partly of the low expenditure and partly of the increasing trade. Thus in the year from Michaelmas 1752 to Michaelmas 1753 the river carried 43,126 tons 8 cwt. of goods, an increase of about 37 per cent over the 1742–3 figure. Salt accounted for 64 per cent of the total, with 14,359 tons 29 bushels of rock and 13,640 tons 10 bushels of white salt. Coal, with 9400 tons 15 cwt., had fallen to 22 per cent of the total. The remainder was made up of 2495 tons 18 cwt. merchants' goods, 1247 tons 2 cwt. pipe clay,[1] 1039 tons 16 cwt. timber, 831 tons 6 cwt. flintstones, 89 tons 11 cwt. iron mine, and 22 tons paving stones. Apparently no limestone was shipped. The merchants' goods displayed their usual bewildering variety, including salt pans, frying pans, and, a significant entry, " 10 baggs cotton ".[2] The upward cargoes included some potatoes, an unusually large number of hides, 374 tons 2 cwt. pig metal, and even 2 tons of " Cumberland cheese ".[3] More cheese seems to have been shipped down the river than usual, but the entry " cheese &c." makes the quantity uncertain. The cratesware amounted to 447 tons 6 cwt., but this included a very little " Cumberland cratesware " which came upstream. Despite this variety of goods, the basis of the Weaver's trade remained the same. It rested on salt and coal, as the supporters of the navigation had always maintained that it would. They had also claimed that the river would carry a great deal of cheese, but in this they were mistaken. Considerable quantities of cheese were shipped to London from both Chester and Liverpool,[4] but even the latter did not

[1] Some of this was described simply as " clay ".

[2] There was also 1 ton 10 cwt. of " candle week ".

[3] Some Cumberland iron was also sent up the river.

[4] For some statistics of this trade, see T. S. Willan, *The English Coasting Trade*, pp. 86–7.

receive its cheese by the Weaver. Perhaps the land carriers retained the carriage of a commodity over which they had more control as producers than they had over salt or coal.

The river trade, whose expansion can be traced in the tonnage books of the navigation, was obviously important in the economic life of the Weaver valley. It is difficult, for example, to see how some 28,000 tons of salt could have been moved by land without a wasteful diversion of economic resources to such land carriage. Clearly, too, the trade was important to those who participated in it. Who those traders were it is often possible to discover, but how their trade was organized it is almost impossible to say. The records of the actual trade on the river are not unlike the records of the King's customs. The tonnage books resemble the Port Books in which were recorded the cargoes of overseas and coastwise trade. The resemblance is natural, for the purpose in both cases was the same. The customs officials were concerned with the collection of customs duties, the Weaver officials were concerned with the collection of tonnage dues. Their interests were almost purely financial. They were not concerned with those finer details of commercial organization, which the economic historian so frequently desires and so rarely secures. Hence it is possible to compile a complete register of the ships trading on the Weaver and a directory of shipmasters, but it is not possible to tell to whom those ships belonged or under what conditions those shipmasters were employed. It is possible to compile a list of traders and of the goods they dealt in, but it is rarely possible to discover both who shipped and who received those goods. Such complete knowledge would only be possible if the business records of the traders themselves were available, which, with very rare exceptions, is not the case.

Despite this lack of evidence, some features of the river trade can be discovered by, as it were, "reading between the lines" of the official records. In the first place the undertakers had no monopoly of carriage on the river, which was open to anyone who was willing to pay the tonnage dues. Thus at Northwich the trade was in the hands of a number of shippers, but the bulk of it was done by the leading salt proprietors, who despatched their salt and received their coal by the river. Among them were such men as John Blackburne, a Liverpool salt refiner with interests in the Northwich rock-salt mines.[1] From Michaelmas 1741 to Michaelmas 1742 Blackburne paid £324 0*s.* 9*d.* in tonnage dues at Northwich out of a total of £1704 5*s.* 6¼*d.* The following year he paid £234 2*s.* 11½*d.* out of a total of £1435 9*s.* 6¾*d.* It would be interesting to know whether such men used their own boats on the river, but the actual organization of the shipping is very obscure. In 1733 twenty-five boats were employed but it is not possible to tell who owned them. Some of the tonnage books give the proprietors' names, but they are almost certainly

[1] Hughes, op. cit., pp. 225, 390, 395.

the proprietors of the goods and not of the boats. Later evidence shows that some of the Northwich salt proprietors owned the boats they used. Thus in 1761 the *Venus*, which had sailed into Pickerings Lock with her "sails up in a gale of wind and thereby burst down the lower gates of the said lock", belonged to Richard Heyes and Thomas Leigh.[1] The

[1] The case of the *Venus* shows how difficult it could be to establish ownership even though the owner's name was supposed to be shown legibly on the outside of his boat. The *Venus*, with Thomas Brown as master, demolished the lower gates of Pickerings Lock in September 1761. The damage was estimated on 3 November 1761 at £70 6*s*. 4*d*., which Heyes and Leigh refused to pay. The Committee of the Trustees decided on 3 December 1761 to take proceedings against them, but the following letters from the Arley MSS. show that it was not easy to prove that they were the owners of the boat at the time of the accident.

William Brock, Liverpool, to Thomas Slaughter, Chester, 19 January 1762.

"I have made all the enquiry I can amongst the flattmen and find that the *Venus* flatt is not at present down, but that she is laden with salt and is expected here every tide. One of the flatmen tells me she was lately sold to Mr. Richard Heys and Mr. Thomas Leigh of Northwich. However you may depend I shall lay wait for the captain, Brown, as soon as ever he comes down and will immediately write you as soon as I have seen him.

"P.S. I am told that the flatt did belong to the Middlewich schemers or the new salt proprietors there."

William Brock, Liverpool, to Thomas Slaughter, Chester, 22 January 1762.

"The *Venus* flatt is this day come down. I have been with the master, Brown. He says the flatt did belong to Ard, Docksy & Co., proprietors of the salt works at Middlewich, but that she is lately sold to Mr. Richard Heyes an attorney in Northwich and Mr. Thomas Leigh an ironmonger there. It's a very difficult matter often to come to the true owners of a vessel and impossible to learn that from any tradesmen in town. I have made all the enquiry I can on that head. The flatt is now discharging her loading of salt and probably will not be gone from hence of some days, so that if you would have me do anything farther in regard to taking up the Captain &c. you will please give me your commands."

John Atherton, Liverpool, to Sir Peter Warburton, 26 January 1762.

"All that I can possibly learn here of the *Venus* flat is that some attorney at law in Congleton sold her about a month or 5 weeks ago to Messrs. Heys and Lee of Northwich, where she now is, or was a few days since, loading salt for this town. Before the above persons purchased the flat tis said they hired her (for the purpose of carrying salt &c.) from the said attorney. John Brown is now the master of her and was so at the time that she did some damage to one of the locks on the Northwich river."

William Brock, Liverpool, to Thomas Slaughter, Chester, 12 February, 1762.

"I this day saw Mr. Thomas Leigh from Northwich who tells me that he alone purchased the flatt *Venus*, Captain Brown, about which you wrote me. I asked him who was the owners when he purchased. He says Mr. Ard (one of the schemers or proprietors of salt at Middlewich) made him his title to her and that Mr. Furnivall, attorney in Congleton, made the bill of sale. I should now think Mr. Ard was the person you should look upon for damages done to the locks.

"P.S. We have today a good account of our forces landing at Martinico, I wish it may prove true."

tonnage books show that she was employed by Thomas Leigh & Partner in shipping their rock salt. Similarly, in 1770, the *Pennant*, which damaged the lower gates of Hunts Lock, belonged to Richard Kent, who employed her in carrying his salt and coal. On the other hand the salt proprietors used boats which they did not own. In 1763 the *Otter* and the *Swan* both belonged to a Mrs. Ashton, but they were employed in carrying salt for John Hunt. It is probable that this practice of the Northwich salt proprietors, of sometimes owning the boats and sometimes chartering them from others, was in operation before 1760 as well as later. It is of course possible that the boats were sometimes owned by the shipmasters, but there is no evidence of this, nor has any case been found of the shipmaster owning the goods which he carried, though the combination of master and merchant was not uncommon in the coasting trade.

The situation at Winsford differed from that at Northwich. The Winsford trade, even though it included goods brought from or destined for Middlewich,[1] was much smaller than the Northwich trade.[2] But it was not only much smaller, it was also much more concentrated in the hands of a few men, who included one of the undertakers themselves. It was alleged against the undertakers in 1760 that they had kept down the tonnage rates on some goods " for their own benefit, they being greatly concerned in the trade of the river, and chiefly in those commodities ".[3] This may not have been true, but certainly two of the undertakers were concerned in the river trade. There seems to be no evidence that John Dickenson was a trader on the Weaver, but Eyre and Patten were. Eyre & Co. were shipping salt from Northwich in the early seventeen-thirties, but Thomas Eyre, the undertaker, is said to have died soon after the completion of the navigation,[4] probably in 1735 when his name disappears from the list of shippers. Thomas Patten was a more important figure in the trading world, but there is some difficulty in disentangling the Pattens. A Thomas Patten of Warrington claimed in 1698 that he had made the Mersey navigable to Warrington [5] and it is usually assumed that he was the Weaver undertaker of 1730. He may have been, but as he is said to have died in 1733,[6] he cannot be the Thomas Patten, under-

On 7 October 1762 the Committee decided to institute proceedings unless Heyes and Leigh paid for the damage within three weeks. Finally on 5 July 1764 Heyes agreed to pay £25 and the costs of the action against him and Leigh, and all proceedings were to be stayed. The £25 was paid.

[1] In the accounts the Winsford tonnage is given under the heading " Winsford and Middlewich ".

[2] From Michaelmas 1741 to Michaelmas 1742 the Northwich tonnage dues amounted to £1704 5*s.* 6¼*d.*, the Winsford and Middlewich to £618 12*s.* 9½*d.*; the following year the figures were £1435 9*s.* 6¾*d.* and £431 2*s.* 5*d.* respectively.

[3] " Sir Peter Warburton's Observations on the result of the meeting at Warrington ", 11 February 1760 (Arley MSS.).

[4] " A retrospective summary of the River Weaver Trust " (Arley MSS.).

[5] *Norris Papers*, ed. T. Heywood, Chetham Society, ix. 37–9. [6] Ibid., p. 37.

taker and trader, who was active on the river after that date. This Thomas Patten may have been his son, who inherited his father's rights in the river, though there is no evidence of any transfer of rights in the Commissioners' Minutes, but then neither do those Minutes record Eyre's death. On the other hand, it is possible that Thomas Patten, the Weaver undertaker of 1730, was not the same Thomas Patten who claimed to be the author of the Mersey improvement of 1698, but was the Thomas Patten who was trading on the Weaver after 1733. Whoever he was, there is no doubt that he made considerable use of the navigation of which he was one of the undertakers.

Thomas Patten had some interests at Northwich where, in 1733, he was lessee of a rock-salt pit.[1] The firm of Thomas Patten & Co. were shippers on a small scale from Northwich in the 'forties. They paid £30 5*s*. 2¼*d*. in tonnage dues there in 1742 and £52 12*s*. 6*d*. two years later, but their main trade on the river was at Winsford. From Michaelmas 1742 to Michaelmas 1743 Thomas Patten & Co. paid £209 18*s*. 11¼*d*. in tonnage dues at Winsford out of a total of £431 2*s*. 5*d*. The following year they paid £164 13*s*. 7½*d*. out of a total of £364 18*s*. 5½*d*. These figures do not indicate the full range of their activities, for at Winsford they operated, and apparently owned, a salt works, wharf, warehouse, and barges. The accounts of these undertakings have fortunately survived.[2] They appear to begin in August or December 1733 [3] and continue to 29 September 1744. During that period the salt works produced 22,476 tons of salt, consumed 9246 tons of coal, and made a profit of £1864 4*s*. 7¾*d*., but what return this represented on the capital is not stated. Out of the total production, 20,244 tons were shipped to Frodsham at a cost of 3*s*. a ton in freight and 1*s*. 3*d*. a ton in tonnage dues. Thus the cost of carriage was 4*s*. 3*d*. a ton, which was much cheaper than the earlier land carriage. The wharf and warehouse produced an income of £612 8*s*. 8*d*. for the whole period and, with expenses of only £14 11*s*., the profit was £597 17*s*. 8*d*., but again there is no indication of what return this represented on the capital involved. The barge accounts are more interesting, for such accounts are very rare. Patten & Co. operated an average of six flats or barges a year. Over the whole period the expenses of these amounted to £9035 12*s*. 6¼*d*. This was made up of two items, " charges in building, repairs, and other materials ",

[1] Hughes, op. cit., p. 390.

[2] " Winsford salt works. Patten & Coy. Debitor and Creditor from 25 December 1734 to 29 September 1744 " and " Patten & Coy. Barges, warf and warehouse. Debtor and Creditor from 25 December 1734 to 29 September 1744 " (Arley MSS.).

[3] Though the accounts are endorsed " from 25 December 1734 ", it is clear from their form that 25 December 1734 marked the end of an unspecified period of trading, which may have begun a year before. On the other hand the entry " August 10 1733 To valuation of panns and materials at that time £122 19*s*. 2½*d*." suggests that Patten & Co. took over the works about that time.

which came to £3776 0s. 7½d., and "masters' share of freight", which came to £5259 11s. 10¾d. The latter item implies that the masters were paid on a commission basis, which works out at 52 per cent of the freight earnings of their boats. Presumably from this the masters themselves had to pay their crews. The total income from freight was £10,110 17s. 7d. To this was added £465 16s. 7½d. as the value of the six flats in 1744, making a total of £10,576 14s. 2½d. Thus the "ballance" or profit on the barges was £1541 1s. 8¼d. This was clear profit as the cost of building the barges had been included in the expenses. These barges were probably used for carrying Patten & Co.'s salt to Frodsham, but as the freight of that salt amounted to less than a third of the freight earned by the barges, they must also have been used for other goods. The possession of these barges did not give Patten & Co. a monopoly of carriage to and from Winsford, for in 1742 twenty-nine boats were recorded by Robert Pownall as taking in cargoes there. They loaded a total of 236 cargoes.[1]

On 29 September 1744 Thomas Patten & Co. leased their Winsford salt works, wharf, warehouse, and barges to Isaac Wood, who held them until 10 October 1752. Wood paid a rent of £200 p.a. for the salt works, but over the whole period he made a loss of £1153 8s. 3¼d. on them.[2] The bulk of the salt output of 17,713 tons continued to be sent by the river to Frodsham at a cost of 3s. a ton for freight and 1s. 3d. for tonnage dues. It is interesting to compare this with the cost of carriage up the river. In 1746 Wood "entered into partnership with Messrs. Weatherby & Crowther, merchants in London, and Messrs. Watkins & Dumbell, merchants in Warrington in flint and clay".[3] A statement [4] of the stock

[1] Six boats had only one cargo each, but these may have been principally engaged in the Northwich trade. At the other end of the scale, the *Hope* loaded 21 cargoes at Winsford. It is not possible to say which of these boats belonged to Patten & Co. for the names of their boats are not given in the accounts. The following is a typical entry from Pownall's "tonnage book":

January 2 1742

Thomas Patten & Co.: Ship'd on board the *Eleanor*, Francis Evans, master.

	tons	cwt.
1080 bushels white salt		
Edward Burrows 50 crates ware	3	3
Widow Parr 10 bags malt	1	
Ralph Vernon iron		6
	4	9

[2] "Winsford salt works. Debtor and creditor from 29 September 1745 to 10 October 1752" (Arley MSS.). The date 29 September 1745 represents the end of the first year's operation of the works by Wood.

[3] "Robert Pownall's case", 18 April 1759 (Arley MSS.).

[4] "An account of the stock in the clay trade of Messrs. Watkins & Dumbell, and of Messrs. Weatherby & Crowther when they went into partnership", 19 April 1745 (Arley MSS.).

in hand at the time of this partnership shows that the carriage of clay from Liverpool to Winsford cost 5*s.* 3*d.* a ton, which would include the tonnage dues of 1*s.* on clay. The freight of the clay from Teignmouth to Liverpool was 14*s.* 6*d.* a ton. If Wood lost on the salt works, he gained on the warehouse and wharf, and the barges. The warehouse and wharf earned £1182 2*s.* 2¾*d.*, the expenses of " porters for assisting " were only £154 12*s.* 8*d.*, so that the " ballance being profit " was £1027 9*s.* 6¾*d.* Wood took over six flats valued at £465 16*s.* 7½*d.* upon which he paid interest for eight years amounting to £186. The charges " in building, repairs and other materials " came to £2669 9*s.* 2*d.*, and the masters' shares of the freights to £4934 4*s.* 3½*d.* Thus the total expenses of the flats were £8255 10*s.* 1*d.* The flats, which were increased to eight, earned £9867 18*s.* 8½*d.* in freights and were valued themselves at £800, making a total of £10,667 18*s.* 8½*d.* The " ballance being profit " was therefore £2412 8*s.* 7½*d.*[1]

Wood may have continued to control this concern after 1752, for he certainly became the chief river trader at Winsford. He had been engaged in general trade there probably from the opening of the navigation. He employed Robert Pownall as a clerk, apparently for " keeping the books " and continued to employ him after Pownall had been appointed the tonnage clerk at Winsford. According to Pownall's own account, he was not paid a salary by Wood until 1744 when he began to receive £15 p.a. and the use of a house worth £5 p.a.[2] By 1753 Wood was dominating the river trade at Winsford, for in the year ending 29 September 1753 he paid £310 12*s.* 6*d.* in tonnage dues there out of a total of £384 3*s.* 0½*d.* This domination continued, for in the year from 6 April 1759 to 5 April 1760 Wood shipped 1879 tons 10 bushels white salt out of a total of 2528 tons 32 bushels. All the Winsford trade in pipe clay (1468 tons 13 cwt.), flintstones (91 tons 4 cwt.), earthenware (144 tons 18 cwt.), pig metal (606 tons 11 cwt.), slate (36 tons), and calamine (32 tons 18 cwt.) was recorded in his name. Out of 982 tons 6 cwt. merchants' goods he was responsible for all but 12 tons 15 cwt. Only in coal was there any serious competition, for out of 281 tons Wood received only 69 tons. Thus 85 per cent of Winsford's river trade was in the hands of one man. It would be interesting to know more of this provincial monopolist.[3]

[1] " Winsford Barges. Debtor and creditor from 29 September 1745 to 10 October 1752 " (Arley MSS.). These accounts include the wharf and warehouse. The accounts end on 10 October, instead of 29 September, to allow for the eleven days lost through the alteration of the calendar in September 1752.

[2] " Robert Pownall's case ", 18 April 1759 (Arley MSS.).

[3] Isaac Wood continued to dominate the Winsford trade until 1782, when he was replaced by Mrs. Jane Wood, presumably his widow. In 1783–4 the entire Winsford trade, except for 548 tons 2 bushels salt shipped by John Seaman, was in her name. In 1791 Isaac Wood & Co. appeared in place of Jane Wood, but only

This trade, whether it was largely in the hands of one man as at Winsford or of a number of men as at Northwich, depended on the maintenance of the Weaver as a navigable river. The river remained navigable throughout this period and indeed carried an increasing volume of trade, but it is very doubtful whether, after the completion of the navigation, anything was done to improve it or to make it capable of carrying bigger boats. The low expenditure of the late 'thirties and the 'forties was consistent only with the maintenance of the existing works, if it were consistent even with that. The salaries of the administrative staff accounted for nearly a quarter of that expenditure. The remainder went on such things as timber, ironwork, and the wages of carpenters, labourers, and plashers.[1] Such wages amounted to £295 14*s*. 10*d*. in the year ending 29 September 1745. Towards the end of the 'forties considerable repairs were being done to Salterford and Butty Meadow Locks and by the 'fifties there was heavy expenditure on timber. Priestner, for example, paid £252 15*s*. 11¼*d*. for timber between Michaelmas 1753 and Michaelmas 1754 and three years later timber worth more than £600 was bought, much of it from Messrs. Barlow and Goostry.

This increased activity and increased expenditure were undoubtedly made necessary by previous neglect. The undertakers, left to their own devices, had allowed the navigation to deteriorate. A survey made on 29 and 30 December 1757 by John Dicken, Thomas Pearsey, Robert Pownall, and Philip Bankes, carpenter, showed the extent of that neglect.[2]

The surveyors began their work at Pickerings Lock where they found the land side and the cradle [3] in very bad condition. The bottom of the lock was good, except a small part at the upper end, but both the upper gates were " quite decayed " as was one of the lower gates. Working upstream, they found the lock at Dutton Bottoms in better condition. The gates were all good and so was the bottom of the lock except the sill at the lower gates, but the land side and part of the cradle wanted " about 62 new posts ". At Acton Bridge Lock the weir was " in good

8300 tons out of 30,764 were in their name in 1791–2. They in turn were replaced by Annabella Wood at the end of 1796, but a year later the name of Wood disappeared from the tonnage records. The leading place was then held by William Leay & Co.

[1] The expenditure in 1748 included £2 10*s*. " to William Wild for a West India canoe for a boat ". Apart from this exotic craft, there was also at this time a navigation flat called the *Mermaid* which was presumably used for carrying material for repairing the locks, etc. She was sometimes used for carrying goods commercially for her freight earnings, which varied from £2 11*s*. 11*d*. to £76 4*s*. 7*d*. p.a., were recorded in the accounts.

[2] " A state of the locks on the river Weaver being a survey made 29 and 30 December 1757 " (Arley MSS.). Thomas Pearsey was probably the Thomas Parcey who held some unspecified office under the navigation.

[3] The " land side " was the side of the lock basin which was built in the river bank. The " cradle " was the other and parallel side of the basin, which was in the actual stream of the river.

repair ", but the timber on the land side of the lock was " quite decayed " and new posts were wanted on each side of the cradle. Three of the gates were " pretty good ", but the fourth was " decayed ". Saltersford Lock, where repairs had been made ten years earlier, was in fairly good condition. The gates and bottom were " in pretty good repair ", the weir was " very good ", but the whole of the cradle was " bad ". At Winnington the lock and weir were in good repair, though the cradle needed " 6 or 7 posts to the wear side ". Northwich Lock was in good repair on the land side, but the cradle was " bad, the timber being much decayed and inclines to the wear side ". The bottom of the lock and three of the gates were " very good ", but the other gate wanted new planking. The weir was good, but a gravel bed below the lock and " a key of Mrs. Metcalfe's " were " a great obstruction to the passage of boats ". Above Northwich, Hunts Lock was in good condition on the land side and part of the cradle was new, but the timber of the rest of the cradle was " pretty much decayed ". The lower gates of the lock were good, " the uppermost but indifferent ". The weir was " not good " and the frame of the clows was " much decayed ". At Hartford Lock the weir was " new and well back filled " but the timber of the lock was decayed and all the lock gates were bad. Part of Vale Royal Lock was new, but the rest was " decayed " and of the gates three were bad and the fourth was " indifferent ". The weir was new, but the clows were decayed. Towards the head of the navigation, Newbridge Lock stood " upright and pretty good " on the land side ; its gates were good, but the back of the cradle was " very much decayed " and the weir was bad. Finally Butty Meadow Lock was also good on the land side and part of the cradle was new, but the lower gates were " quite decayed " and the timber of the weir was " very badly wore ".

The survey was not a very flattering testimonial to the undertakers' work in maintaining the navigation. It showed that some repairs had been carried out, but also that a great deal still needed to be done. How much needed to be done can be gathered from an estimate dated 2 February 1758 of the cost of the new works and repairs then considered necessary.[1] These included a new lock, weir, and cut at Pickerings, a new lock at Saltersford, a new weir at Hunts Lock, and repairs to the remaining locks. The total cost of these was estimated at £5039 10*s.* 1*d.* It is not therefore surprising that complaints about the state of the navigation were becoming so insistent in 1757 that even the Commissioners were stirred to action. The reign of the undertakers was drawing to a close.

[1] " A survey of the locks and wears on the Weaver navigation . . . with an account of what repairs are wanting thereon ", 2 February 1758 (Arley MSS.).

CHAPTER IV

THE TRANSFER OF POWER

THE condition of the navigation in 1757 called for the expenditure of a large sum of money on repairing or rebuilding the works on the river. The need for such expenditure suggested that some more effective control of the undertakers was necessary if the navigation were to be maintained in an adequate state of repair in the future. There were in fact three possibilities open to the Commissioners within the legal framework provided by the Act of 1721. Firstly, new undertakers might be found who would carry out the necessary improvements and maintain the navigation in good order, but this could only be done if the existing undertakers were prepared to resign, for the Commissioners had no power to depose them. Secondly, the existing undertakers might continue, with, perhaps, more adequate safeguards for the fulfilment of their duties. Either of these solutions was complicated by the county's statutory right to receive the clear profit of the navigation once the capital had been repaid, for that right would almost certainly make difficult the relations between the Commissioners and the undertakers. Finally, the Commissioners might persuade the existing undertakers to resign and take the navigation into their own hands, though legally this might involve the appointment of nominal undertakers. All these possibilities were considered towards the end of 1757 when the question of the state of the navigation became acute.

Matters came to a head in the autumn of 1757, largely, it would seem, as a result of complaints by Liverpool merchants about the state of the river. The corporation of Liverpool received a petition " from several merchants in this town, complaining of the ill management of the navigation of the river Weaver " and offered, on 7 September 1757, to " bear the expences of any gentleman who shall take the trouble to go and order a survey of the said river, and to meet any gentleman concerned in the said navigation, in order to have the inconveniences and mismanagement of the said river redressed ".[1] A month later, on 12 October,[2] Sir Ellis Cunliffe " and several gentlemen deputed from the merchants of Liverpool " attended a meeting of the Weaver Commissioners at Northwich and " made complaint against the undertakers for neglect of repairs of the locks and delays in getting their vessels down the navigation occasioned

[1] Picton, op. cit., ii. 145–6.

[2] This meeting is wrongly dated 1756 in Wardale, " The Weaver Navigation ", *Trans. Lancs. and Cheshire Antiquarian Society*, xlix. 5.

by such neglects, whereby their trade for salt was in danger to be lost ". After " some warm debates ", they were asked " what they would give yearly to the county for the reversion of the navigation invested in the county ", if they took over the debt and had the navigation vested in them and their heirs for ever. In reply the Liverpool men offered at first £600 p.a. and later £800 p.a., but, " the Commissioners talking of one thousand ", no agreement was reached. The undertakers were then asked what they would give, but they offered only £600 p.a. to the county " and would go no further ". Patten, however, proposed that if the Commissioners

> would allow the debt of £17,571 0s. 9¾*d.* to be due to the undertakers, they would forgoe the interest of 6 per cent which they were now entitled to and lend it the Commissioners at 4½ per cent till the debt was paid off, or till the Commissioners could borrow the money elsewhere upon a more easy interest and they would take care of the navigation . . . till one of these contingencies happened.

On being asked to moderate his demand a little, Patten agreed to reduce it to £17,000 by " striking off the odd hundreds ". Finally Dickenson proposed that the undertakers should " take the navigation and all its proffits into their own hands for twenty years ", liquidate the debt, and " deliver up the navigation to the Commissioners for the use of the county in good condition at the end of the said term ". Patten, however, disagreed with this proposal.

No conclusion was reached at the meeting on 12 October, but it was agreed that both the " Liverpool gentlemen " and the Commissioners should consult their friends and hold a further meeting. It was assumed that if the Liverpool offer were accepted, a new Act of Parliament would be necessary. Some of the Commissioners were in favour of accepting the offer, largely because it would mean an immediate financial gain for the county. Thus George Legh thought that a refusal of the offer would endanger the reversionary interest of the county for " the tonnage for the benefit of trade will be reduced to such a sum as will be sufficient only to keep the river in good navigable order upon an application for that purpose to Parliament ". He was afraid they would " be disputing about a bone and lose the marrow ". Others thought that if the Liverpool offer were raised to £1000 p.a. " it would be worth listening to ". The Liverpool men were not, however, prepared to raise the annuity to £1000, for at the second meeting on 26 October they made the same proposals as before. The Commissioners again refused to accept them, but it was agreed that the proposals and the draft of a Bill should be prepared by the Liverpool men and circulated to the Commissioners. The Bill was drafted by Scroop Colquitt of Liverpool and sent to the Commissioners. It does not seem to have been favourably received, for opposition to the Liverpool proposals was growing stronger. According to Peter Brooke some of the

Northwich proprietors had begun " to be startled, and say they shal become a prey to Leverpool ". Thus when the Liverpool proposals again came before the Commissioners at a meeting on 24 November, they were rejected by 13 votes to 4.[1] It was decided instead to buy out the undertakers by paying them the £17,000 which they had agreed to accept. To do this and to have a small surplus available for improving the river, £18,000 was to be raised, bearing interest at 5 per cent. The principal and interest were to be secured by a mortgage of the tolls. The management of the subscription was entrusted to Thomas Gorst. It showed considerable distrust of the undertakers that they should be bought out with money raised at 5 per cent, when they themselves had offered to accept 4½ per cent until the debt was paid off.

The acceptance of a plan for buying out the undertakers left the Commissioners with two immediate problems. Firstly, could the change be effected without a new Act of Parliament and, secondly, could the money be raised ? At first it was considered that a new Act of Parliament would be necessary and Thomas Gorst was given the task of drafting it. Gorst himself hoped that an application to Parliament would not be necessary. He wrote to Sir Peter Warburton on 15 December 1757 pointing out that, under the existing Act, the Commissioners had power to borrow money and to appoint new undertakers, " who may be bound to carry on and manage the navigation, under the direction of the Commissioners, by a proper deed to be prepared for that purpose ". The application for a new Act to give further powers to the Commissioners might " be attended with some hazard to the county ". Gorst was in fact voicing a fairly general fear that any new Act might impair or even abolish the county's reversionary interest in the navigation. Warburton, in a letter to Gorst of the same day, declared that he " would fain keep our business out of Parliament if possible ", and he thought that the transfer of the navigation from the undertakers to the Commissioners could be effected without hazarding " the revertion by going into Parliament ". On the other hand, Lord Strange,[2] who was acting as an intermediary between the Liverpool interests and the Commissioners, thought that an Act would be necessary. On 17 December he wrote to Warburton, " I own I don't see at present how you can avoid Parliament, for if the undertakers have now too much power, and the Commissioners too little, the case will be the same when the old undertakers have sold to the new ones." Warburton wrote to Strange on the same day explaining why a new Act was not necessary and his explanation seems to have convinced Strange, who replied on 20 December that the Liverpool gentlemen were " strongly enclined to a

[1] Robert Moreton attended the meeting and voted, though he was not apparently a Commissioner.

[2] James Smith Stanley, commonly known as Lord Strange, son of Edward, eleventh earl of Derby, and one of the Members of Parliament for Lancashire.

new Bill", but he personally did not think it necessary unless the Commissioners failed to complete the navigation "according to the original intention of the Act". He recommended "temper and candour" in dealing with the Liverpool people, who "think they were a little cavalierly treated at the last meeting". It is clear that the Liverpool merchants were strongly in favour of a new Act which would compel the Commissioners to improve the navigation in a manner acceptable to the Liverpool men themselves. Indeed, they threatened that, if it were not so improved, they would "apply to Parliament to obtain such redress as the House shall think fit". They pointed out, through Lord Strange, that the existing Act was defective in that the Commissioners could not "compel any man to sell his land to the use of the navigation" as they could not "empannel a jury but every member of it must be interested in the revertion and consequently incapable of serving as a juryman". Strange admitted that this objection had "great weight" with him, and, indeed, it was later to become an important question at issue, but at the moment the Commissioners countered it by pointing out that such juries were authorized under the Act of 1721 and that in any case a similar objection of being interested in the reversion could be brought against the Commissioners themselves. It was a dangerous argument, but the Commissioners were plainly determined to avoid a recourse to Parliament and at their meeting on 2 January 1758 it was agreed that no application should be made for a new Act.

The question of a new Act had been temporarily solved by the decision that the transfer of power could be effected under the terms of the Act of 1721, but that transfer could only take place if sufficient money were raised to buy out the existing undertakers. There seems to have been a plan early in December 1757 for Sir Peter Leicester to supply all the money necessary to pay off the undertakers by using certain trust money, of which Peter Brooke was a trustee. No details of this plan are available and in any case it came to nothing, for a subscription list was opened on 13 December 1757 "at ten of the clock in the forenoon at the dwelling house of Mr. Ralph Low being the King's Arms in Middlewich". The £18,000, which it had been agreed to raise, was quickly subscribed. There were twelve subscribers, headed by Robert Lowndes with £5000, Dorothy and Elizabeth Byrne with £3000 between them, John Parker with £2000, William Moss, apothecary, with £1500, and Richard Adderley with £1200. Four men, William and John Seaman, Robert Done, yeoman, and Richard Walthall subscribed £1000 each. Finally Christiana Egerton, widow, subscribed £800 and Joseph Ollier £500. At the meeting of the Commissioners on 2 January 1758 it was agreed that this money should be paid on or before 24 July next to Sir Peter Warburton, Philip Egerton, and Thomas Cholmondeley. It was to bear interest at 5 per cent and was to be used to pay £17,000 to the undertakers, together with interest

at 4½ per cent from Michaelmas 1757, and the surplus was to be employed for the maintenance and improvement of the navigation. On receiving their money, which was to be paid to them on 24 July, the undertakers were to transfer all their interest in the navigation to the Commissioners, who were to enter into an assignment with the subscribers, or with trustees appointed by them, " for the further and better securing the repayment of the said sum of £18,000 with such interest for the same as aforesaid, for the benefit of the said subscribers as the clear yearly tonnage of the said navigation above all incident expences shall raise the same ". Sometime between January and July the subscribers appointed Thomas Gorst, Robert Moreton, and Ralph Vernon as their trustees. At the meeting on 24 July 1758 the subscriptions were paid in and the undertakers were given their £17,000 together with £624 11*s.* 6*d.* for interest from 29 September 1757. By an elaborate indenture quadrapartite [1] between the undertakers,[2] Commissioners, subscribers, and trustees the navigation was transferred to the Commissioners and the tonnage dues were assigned to the trustees as security for the repayment of the money advanced by the subscribers.[3] Though this indenture appears to have been ratified on 24 July, the formal transfer of power only took place at a meeting on 11 October 1758 when the old undertakers resigned and Henry Berry, Robert Pownall, and John Dicken were appointed in their place. This appointment was a purely formal one, for the three new undertakers were all employees of the Commissioners.

The Commissioners appeared to have handled the whole business with great skill and success. They had rejected the blandishments of Liverpool, they had raised sufficient money to buy out the old undertakers, whose resignations had been offered and accepted, and they had accomplished all this without recourse to Parliament. Appearances were, however, deceptive, for the Commissioners were faced with very great difficulties. They had to decide what work should be carried out on the river and they had to see that such work was carried out, for they had become in fact, though not in name, the undertakers.

The question of what improvements should be made to the navigation was complicated by the attitude of the Liverpool merchants. Their offer to undertake the work themselves had been rejected, but they still wished to dictate what form the improvements should take. In this they seem to have been strongly influenced by the example of the Sankey Brook navigation, which had been authorized by an Act of 1755 and

[1] This indenture does not seem to be among the Weaver records either at Chester or at Northwich.

[2] Jonathan Patten was included as an undertaker.

[3] In 1760 the trustees for the subscribers maintained that the navigation itself had been assigned to them in trust for the subscribers (*Commons' Journals*, xxviii. 844), but in fact the trustees were assignees or mortgagees of the tonnage dues.

which was in fact a canal and not a canalized river. Apparently they wished the Weaver to be made capable of taking boats of the same size as those on the Sankey navigation, probably because coal was brought down the latter, carried across the Mersey, and then up the Weaver. The Sankey, however, was said to be a "5 foot navigation", whereas the minimum depth of the Weaver was only four feet. What the Liverpool men wanted was not merely the repair of the works on the Weaver, but their reconstruction and the deepening of the river so that it would take larger boats. This is clear from the proposals which a meeting of Liverpool merchants delivered to Lord Strange on 20 December 1757. The merchants would support the Weaver Commissioners in an application for a new Act and would agree to pay 1*s.* 3*d.* tonnage for 15 years and 1*s.* afterwards provided the navigation was improved in accordance with their plan. This involved building a lock so far below Pickerings "as will enable flatts to pass into and out of the same at common neap tides". This lock and all the works above were to be constructed "in such a manner as to have six foot water in the dryest season" as far as Northwich Lock. All the locks below Northwich were to be made 18 ft. wide "in the narrowest part" and Northwich Lock and those above it were to be made the same width when they were rebuilt. All the works below Northwich were to be finished within four years "next following the first Michaelmas after the Act of Parliament shall be obtained" and the Commissioners were to have power to compel the undertakers to carry out these works.

This plan was based on the assumption that a new Act would be obtained, hence the decision of the Commissioners to proceed under the old Act rendered it rather academic. Nevertheless the Commissioners appointed a committee of three on 2 January 1758 to meet the Liverpool men "in order to settle the navigation with them in the most agreeable manner they can for the benefit of trade so far as it can be done under the present Act". The meeting[1] was held on 10 January, when it was agreed "to proceed upon the present Act without applying for a new one at present". That was a victory for the Commissioners, for it was the first time the Liverpool merchants had accepted the principle of proceeding under the old Act. It was also agreed that Henry Berry should make a survey of the river and "plan the design laid down by the Liverpool merchants by their intended canals and also the design of the Commissioners in following the river and the cuts intended by them". Berry was to lay these "designs" before the Commissioners, "together with an estimate of the expenses of each".

Berry completed his survey and estimates early in February, and

[1] Sir Peter Warburton, John Smith Barry, and Thomas Cholmondeley represented the Commissioners, and John Tarleton, John Ashton, and John Blackburne, junr., represented the Liverpool merchants.

his reports based on them are interesting examples of two schools of thought on river engineering. The " design laid down by the Liverpool merchants " involved much greater canalization of the river than had hitherto been done. It proposed that a new cut should be made from " the bottom of Rideingfole meadow below Pickerings Lock to Anderton salt works below Northwich ".[1] The cut was to run from the meadow below Pickerings to " the old river at Dutton Bottoms ", from there to Acton Bridge, from Acton Bridge to Saltersford, and from Saltersford to Anderton salt works. It would make necessary eleven new bridges and two new locks in the cut itself, the latter being estimated to cost about £500 each. The land for the cut, 20 acres 1 perch, would cost £1551 13*s.* 1*d.*, being valued at from £60 to £90 an acre. In addition a new lock below Pickerings would cost £537 and a new weir below Anderton salt works £569. The total cost was estimated at £7308,[2] but the value of the material from the old locks and weirs on the river, which would be no longer necessary,[3] might reduce this by £1050. This ambitious scheme may well have been inspired by the Sankey Brook navigation of which Berry had been the engineer.[4] That navigation had been constructed alongside the natural stream, and in the same way the proposed new cut was to avoid the disadvantages of the natural stream of the Weaver. The Liverpool plan was in fact a system of canalization, which bore some resemblance to the method ultimately adopted for improving the Weaver.

The rival " design of the Commissioners " was much more conventional for it involved little beyond an improvement of the existing works. It is true that it provided for a new cut of 1580 yds. at Pickerings [5] and a smaller one of 323 yds. at Saltersford,[6] but apart from these it was proposed only to repair or rebuild the old locks and weirs. The locks at Pickerings and Saltersford were to be rebuilt at a cost of £537 8*s.* 2*d.* each.[7]

[1] It may be some indication of the trading interests of the Liverpool merchants that their plan only dealt with the river as far up as Northwich.

[2] Including the usual 10 per cent for " incident charges ".

[3] It was proposed to abolish six locks and six weirs on the Weaver, which implied that the old Pickerings Lock and the locks at Dutton Bottoms, Acton Bridge, Saltersford, Winnington, and Northwich would be rendered unnecessary by the proposed new cut. These would be replaced by the new lock below Pickerings and the two new locks in the cut.

[4] For an account of Berry's connexion with the Sankey Brook navigation, see T. C. Barker, " The Sankey Navigation ", *Trans. Historic Society of Lancs. and Cheshire*, c. 121–55.

[5] It was to be 14 yds. wide and 2½ deep. The cost of excavation was given as £460 16*s.* 8*d.* (55,300 cubic yards at 2*d.* a cubic yard) and the cost of the land, 2 acres 2 roods, as £225.

[6] It was to be 15 yds. wide and 3 deep and to cost £151 8*s.* 1*d.* to excavate (14,535 cubic yards at 2½*d.* a cubic yard).

[7] The work for the new lock at Pickerings was to include 767 " solid yards " of brickwork at 7*s.* 6*d.* a yard, which shows that the new locks were not to be entirely

The weir above Pickerings was to be rebuilt at a cost of £569 15*s.* 10*d.*[1] and Hunts weir was also to be rebuilt, but this, together with repairs to the lock, would cost only £218 14*s.* 5*d.* Finally repairs were to be done to all the remaining locks, obviously to remedy the defects revealed by the survey of 29 and 30 December 1757. The total cost was estimated at £5039 10*s.* 1*d.* Thus the Commissioner's plan was simpler and cheaper than the Liverpool plan, but it is very doubtful whether it was the better of the two.

The two plans and estimates were submitted to the Commissioners at a meeting on 20 February 1758, but there were only seven Commissioners present and they thought it would be " taking too much upon them to determine in an affair of so great importance to the county without the advice and concurrence of a much greater number of Commissioners ", and so they adjourned until 6 March. Although Thomas Faithfull sent round what amounted to a " three-line whip ", there were still only seven Commissioners present on 6 March. It is clear from subsequent events, though not from the Minutes, that the Commissioners rejected the Liverpool plan at this meeting and decided to carry out their own scheme. They seem to have considered executing part of the Liverpool plan, namely a cut from above Acton Bridge to above Saltersford weir, but this also was rejected.

Thus the Commissioners had a scheme of improvements which they intended to carry out within the framework of the Act of 1721, but that Act had provided for a genuine body of undertakers, separate from, but to some extent controlled by, the Commissioners. It had not envisaged that the Commissioners themselves would become in fact, though not in name, the undertakers and as such would be concerned with the day to day administration of the navigation. The Commissioners themselves took some time to realize the new rôle they had to play. It was not until 6 March 1758 that they made some necessary appointments of administrative officers. Robert Pownall was then made inspector and superintendent of the navigation at £50 p.a.[2] and in October he was made cashier as well at £20 p.a. His place as inspector of tonnage at Winsford was taken by Thomas Kent. John Dicken was to keep account of the tonnage, presumably at Northwich, at a salary of £50 p.a. Finally Henry Berry was to inspect the locks, weirs, and cuts proposed to be made at and below Saltersford. Berry, who had not only been employed on the Sankey Brook navigation but had also succeeded Thomas Steers as

of timber as the old ones appear to have been. The upper gates were to cost £27 4*s.* 4*d.* and the lower ones £40 16*s.* 9*d.*

[1] Of which the wages were estimated at only £68 8*s.* 4*d.* The materials included 10,750 ft. fir plank.

[2] His salary was actually fixed only in October, when it was made clear that he was to " overlook " all the works except those which Berry was to supervise.

Liverpool's dock engineer,[1] was obviously *persona grata* to the Liverpool men. He was allowed 16*s*. 6*d*. a day, which was said to be the same as he had received from his Sankey Brook employers. These appointments were coupled with the resolution that the necessary works should be carried out " with all expedition ", but towards the end of April Lord Strange and Sir Ellis Cunliffe were complaining of " the inactivity of the Commissioners " and Thomas Gorst was representing to Pownall " the necessity of carrying on the works with all possible expedition ".

The real difficulty had not been met by the appointment of Pownall and Berry, for the root of the trouble lay with the Commissioners themselves. A large body of country gentlemen was not a suitable instrument for carrying out the duties previously performed by the undertakers. The Commissioners met infrequently. Between April and September 1758 they met only twice, on 10 April and 24 July, and at the first of these meetings only four attended and little business was done. In the intervals between such meetings there was no body which could take decisions or give orders. Yet it was not until October 1758 that the inadequacy of the machinery was fully realized and a complete reorganization was effected. At a meeting of the Commissioners on 11 October a number of orders were passed for the " better management of the business relating to the navigation ". By these, the Commissioners were to hold an annual meeting at which vacancies were to be filled and at which the agents of the navigation were to lay before the Commissioners the last year's accounts and a description of the condition of the navigation. The Commissioners were then to give orders to the agents as to what works were to be carried out during the ensuing year. For the better execution of these orders a Committee of five [2] Commissioners living nearest to Northwich was to be appointed. This Committee was to have a quorum of three, but other Commissioners could attend its meetings and act if they thought fit. It was to meet monthly to inspect the proceedings of the agents and to give them orders, which were to have the same force as the orders of the Commissioners at the annual meeting, provided they were not contradictory to such orders of the annual meeting. If the Committee wished to alter the orders given at the annual meeting, a general meeting must be called for that purpose, but if a sufficient number of Commissioners did not attend, the Committee could proceed to act without the order of a general meeting. The expenses of the Committee and of the agents attending monthly and general meetings were to be paid at a rate not exceeding 5*s*. a day per person. The Committee was the key to the whole reorganization. Its monthly meeting

[1] S. A. Harris, " Henry Berry (1720–1812) : Liverpool's second dock engineer," *Trans. Historic Society of Lancs. and Cheshire*, lxxxix. 91–116, xc. 197–8.

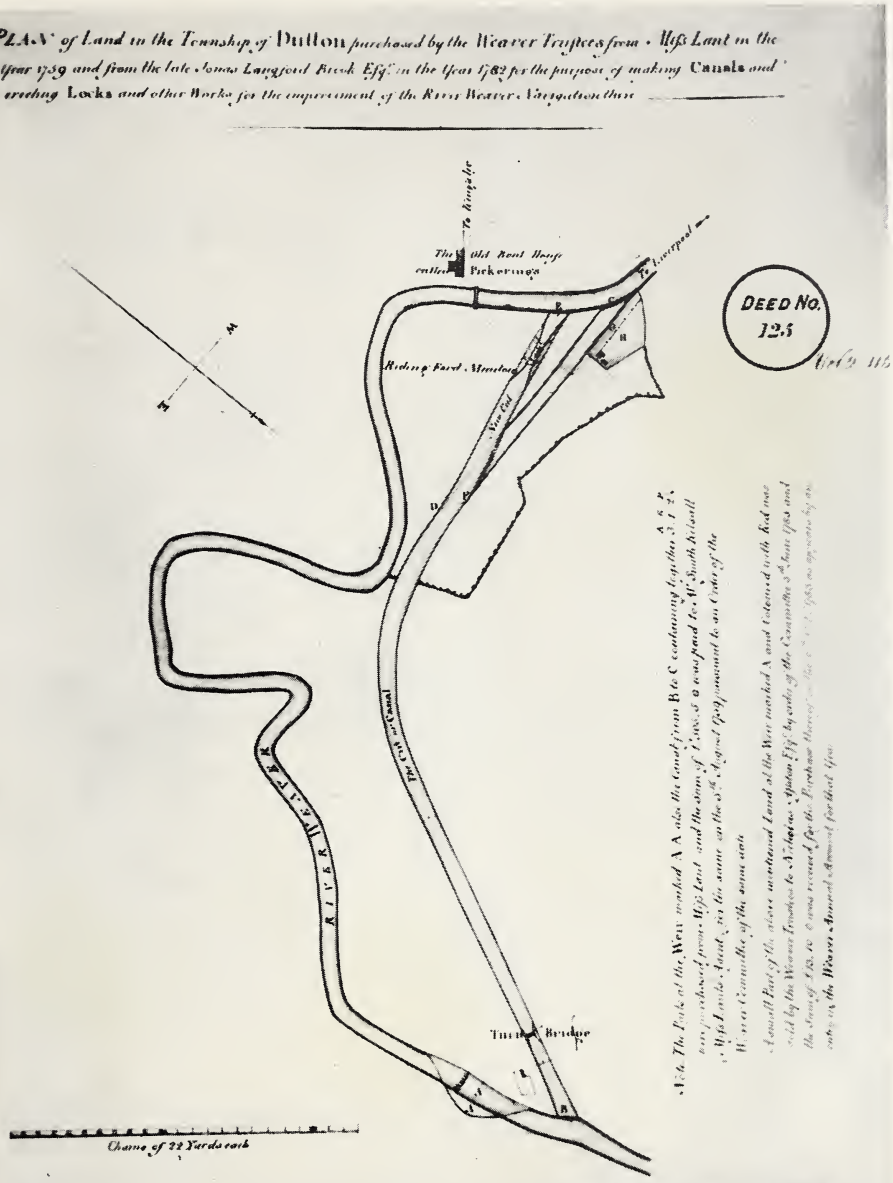
[2] This must have been regarded as a minimum, for the first Committee consisted of nine Commissioners.

and its small quorum ensured a more adequate direction of the work than had hitherto been possible. Though the Commissioners continued to meet more frequently than once a year, it was the Committee which exercised detailed supervision over the navigation and its improvement. The first Committee was appointed at the meeting on 11 October 1758.[1]

The Commissioners do not seem to have issued any general orders for the ensuing year either to their agents or to the Committee. It may have been assumed that they would carry out the Commissioners' plan, which Berry had prepared and which the Commissioners had apparently approved on 6 March. Parts of that plan were already being put into effect, for the new lock, weir, and cut at Pickerings were under construction. By 29 September 1758 just over £1000 had been spent on these, but Berry estimated that they would cost a further £2104 12*s.* 2*d.*, and by 5 April 1759 a further £1902 18*s.* 10¼*d.* had in fact been spent on them. Apart from this work very little was done in the six months after the appointment of the Committee, for in that time only £787 10*s.* was spent on repairs, labourers' wages, and " sundry incidents ". This was partly because the winter months were the least suitable for carrying out works on the river, but it was also partly because the Committee could not make up their minds what works they wanted to carry out. On 4 December 1758 they decided to provide stone for a new lock at Saltersford and to carry out only necessary repairs at Northwich Lock. The latter were not in fact carried out because of the weather. Two months later, on 5 February 1759, Pownall, Berry, and Thomas Hough were ordered to view the river between Winnington and Saltersford to see if the adjoining lands would be flooded by building the new lock at Saltersford so as to " pound up " the water there 2½ ft. higher than was originally intended. It was hoped by this means to dispense with Winnington Lock. Pownall, Berry, and Hough reported on 15 March that the scheme was " practicable ", but " it being apprehended that the rock pit near Northwich Lock is in great danger of immediately falling in ", the Committee ordered the preparations for the new cut and lock at Saltersford to be postponed. Instead they proposed that if General Hugh Warburton would consent " to the pounding up the water at Anderton to the level above Northwich Lock ", a new cut and lock should be made at Anderton, which would " throw out " Northwich Lock. General Warburton, however, strenuously objected to the raising of the water on the grounds that it would flood his rock pit. His opposition and the collapse of Northwich Lock led to the abandonment of the scheme.

The Committee may have been vacillating, but they were also very unlucky. Their work at Pickerings seemed to be progressing satis-

[1] It consisted of Sir Peter Warburton, Sir Henry Mainwaring, Sir Peter Leicester, Ralph Leicester, George Heron, George Eaton, John Houghton, Ashburnham Legh, and Thomas Hough.


PLAN of Land in the Township of Dutton purchased by the Weaver Trustees from Miss Lant in the year 1759 and from the late James Langford Brook Esq^r in the year 1782 for the purpose of making Canals and erecting Locks and other Works for the improvement of the River Weaver Navigation there
DEED No. 125
Pickerings
Liverpool
Riding Ford Meadow
New Cut
Old Canal
RIVER WEAVER
Turnpike Bridge
Chains of 22 Yards each

2. The New Cut and Lock at Pickerings, 1759

factorily when, on 12 March 1759, a " fresh " in the river forced a breach in the bank of the new cut, just above the new lock. The water scoured a channel four feet deep between the cut and the old course of the river. The early reports of the damage appear to have been unnecessarily alarmist, for fifty labourers stopped the breach with a " secure bank " in two days. The alarm may have been caused by the fact that the works at Pickerings were then unfinished, for the heavy expenditure on them in the next twelve months showed that they were far from completed in March 1759. The breach at Pickerings was stopped on 15 March, but on that very day a worse disaster befell the navigation. A rock-salt pit at Northwich gave way and brought Northwich Lock down with it. The lock side collapsed, part of the timber frame was carried down the river, some of the lock timbers fell into the rock pit, and the lower gates were forced by the water over the sills.

The destruction of Northwich Lock was a serious matter for it divided the navigation into two separate parts. There was no longer a through passage from Frodsham to Winsford, for now boats could only go between Frodsham and Northwich and between Hunts Lock and Winsford. As an emergency measure the Committee ordered a dam to be built at the upper end of Northwich Lock so that boats could pass between it and Hunts Lock. There were delays in building this dam because repairs in progress at Hunts Lock would not " allow the pounding up the water ". When the dam was finished, goods were shipped down from Winsford as far as the dam, where they were unloaded and carried by land past the dam and the remains of Northwich Lock, and then reloaded into boats to proceed down the river. Goods coming up the river to Winsford had to be transferred in the same way. By this means the Winsford river trade was preserved, but some of the salt proprietors there, including Isaac Wood, claimed compensation from the Commissioners for the loss and inconvenience which this method entailed. They maintained that having paid the tonnage dues they were entitled to a through passage down the river. The Commissioners, while not denying their liability, pointed out that if they met the claim to compensation it would be necessary " to raise the tonnage to the full upon all commodities ". Only Wood seems to have pressed his claim, and it was never met.[1]

The dam above Northwich Lock was only a temporary expedient, for what was needed was the rebuilding of the lock itself. The need was clear enough, but the Committee took some time to decide where the new lock should be built and of what it should be built. On 2 April 1759 they ordered it to be built " in Bryery Eyes, Birches Meadow, and Little Meadow, three meadows belonging to Sir Peter Leicester ". Two months later they decided that it should be built on land belonging to Mrs. Ann

[1] As late as 1774 Isaac Wood was still claiming compensation, but his claim was rejected.

Metcalfe and should be made of brick and stone. The proposed site, however, contained a slaughter-house and a " place to put in goods for killing and smithy and hovel and a coal house " and was used for delivering and receiving goods to and from " Mrs. Metcalfe's key or wharfs ", and Charles Booth, Mrs. Metcalfe's agent, claimed £583 10*s.* for it. The undertakers refused to pay this sum and when the Committee mediated between them and Mrs. Metcalfe, the latter refused the terms offered. It was ordered, therefore, on 2 July that a jury should be empannelled to assess the amount. Whether the jury actually sat is uncertain, but on 11 July Mrs. Metcalfe accepted £150 for the land, the undertakers agreeing to remove and rebuild the smithy. The whole proceedings had illustrated the completely illogical position of the Commissioners, who had mediated between Mrs. Metcalfe and their own employees as undertakers. They had mediated when they were in fact, if not in name, one party to the dispute. The Act of 1721 had forbidden Commissioners to arbitrate in cases where they were interested parties. Since the resignation of the old undertakers, all the Commissioners were interested parties in any case that arose. Having secured the site for the new lock, the Committee decided on 6 August to postpone building until the following spring, as the season was too far advanced and as " it would entirely put a stop to the trade to Winsford as the water must be drawn off to carry on the work ". A month later they decided that the new lock, when it was built, should be of timber instead of brick and stone " on account of the rock pit hole as well as the quicksand the foundation must be laid upon ". It is hardly surprising that in October 1759 Thomas Gorst was being asked, as a trustee for the subscribers, why there was so much delay " in making the new lock at Northwich to restore the communication between what they call the upper and lower rivers ". That communication was apparently interrupted for a year and nine months.

The destruction of Northwich Lock had other effects besides interrupting through communication to Winsford, for it raised both financial and legal problems.

As early as January 1759 the Commissioners had had to borrow money " to be laid out in the repairs and improvements ", but in January and February they had borrowed only £500. This was obtained at 4½ per cent from the churchwardens of Great Budworth, who had money at their disposal belonging to the poor,[1] and from the trustees of the school at Great Budworth. The money must have been urgently needed for it was borrowed by Sir Peter Warburton and George Heron, two of the Commissioners, who in turn lent it to the undertakers. Then followed

[1] The " Poor's Stock ", which supplied £400 of the £500 borrowed, consisted of legacies left for the use of the poor, A. W. Boyd, " The Great Budworth Churchwardens' Accounts in the Eighteenth Century ", *Trans. Lancs. and Cheshire Antiquarian Society*, xlix. 12–74.

the damage at Pickerings and at Northwich Lock, which made it necessary " to borrow a further sum of money to enable the undertakers and trustees to finish and perfect the navigation ". At a meeting on 4 June 1759 the Commissioners borrowed a further £2000 at 4½ per cent. This was obtained from Edward Pemberton, doctor of physic, of Warrington. Security for this and for the previous £500 was given by a mortgage of the tonnage dues to Thomas Patten, the younger, of Warrington, and Richard Selby, vicar of Great Budworth, as trustees for the lenders, " subject nevertheless to a prior mortgage of £18,000 ". Even the holders of this prior mortgage were not receiving their interest punctually. On 4 October 1759 Thomas Gorst wrote to George Heron that he was being asked " when the subscribers may expect to be paid their half year's interest due the 24 July last ". Apparently the half year's interest due to the subscribers on 24 January had only been paid about midsummer, which suggests that the £2000 had been borrowed partly for that purpose.

The Commissioners were obviously living a very hand to mouth existence, for they were still faced with finishing the works at Pickerings and with building new locks at Saltersford and Northwich. They might have claimed that this was not altogether their fault, for they were not responsible for the collapse of Northwich Lock. The responsibility for that collapse raised, however, a legal question of some consequence. As early as 4 December 1758 the Committee had ordered John Stafford, the Commissioners' solicitor, to take counsel's opinion whether landowners or proprietors of salt works, who did anything on their own property which damaged the navigation, were liable for such damage. There is no evidence that counsel's opinion was taken before the destruction of Northwich Lock, but the collapse of the rock-salt pit which brought down the lock made the question more urgent. Here was a case of considerable damage to the navigation for which the Commissioners were not responsible. The problem then arose whether, under the terms of the Act of 1721, anyone could be held liable for the damage. In June 1759 a Mr. Wilbraham was consulted. His opinion was pessimistic in the extreme. He could not " determine by whom or against whom any action " could be maintained and was clearly of opinion that no court of equity would interpose. He had read the Act, which vested no right " in either the Commissioners or undertakers and consequently . . . no action could be maintained by both or either of them ". When it was pointed out to him that, on his interpretation, no action for damages would lie in any case whatsoever and hence " malicious people might with impunity destroy the whole navigation ", he replied that " he was affraid it was unprovided for by the Act, and that no action could be maintained ". Thomas Kent, who reported this opinion to Stafford, added quite rightly, " if this be the case it ought to be kept a profound secret ". Three months later a further opinion was sought from Mr. Yates at

Manchester. On 24 September Stafford reported to Sir Peter Warburton that he had consulted Yates, who " says the Act of Parliament is the most defective he ever saw ". Yates thought " an action might be supported against the last occupiers of the rock pitt ", but, Stafford added, " how far it may be prudent to commence such an action deserves consideration ".

It was not considered prudent to start such an action, for the Commissioners sought a much more drastic solution of their financial and legal difficulties. On 10 October 1759 they asked the Committee to consider " the defects of the present Act of Parliament " and " such amendments as shall be necessary to enforce and render more effectual the power granted by the present Act ". By December " the heads proposed for a new Bill " were circulating among the Commissioners, but it was not until 17 January 1760 that a meeting of the Commissioners formally approved an application " to Parliament for an amendment of the present Act ". Thus a year after the Commissioners had decided to rely on the Act of 1721, they had been forced to recognize that they could not improve and maintain the navigation under the powers conferred by that Act. No doubt the Act of 1721 was defective in that it did not vest the property of the works on the river in either the undertakers or the Commissioners, so that no action could lie for damage to that property, but it would be unfair to blame the Act for all the difficulties of the Commissioners in 1759. These arose partly from technical defects in the Act itself, but partly also from the attempt to apply the Act to a situation which had never been envisaged at the time when the Act was passed. The Act had provided for Commissioners and undertakers as two distinct and separate bodies and had attempted to regulate the relations between the two. The transfer of power to the Commissioners on the resignation of the old undertakers and the creation of " puppet " undertakers had really created a situation in which the old Act was no longer applicable. The function of the Commissioners as impartial mediators in disputed cases of damage could no longer be fulfilled in accordance even with the letter of the Act. Moreover, the machinery created on 11 October 1758 for the better management of the navigation by Commissioners who had become in fact undertakers, though it was a very necessary reform, was also of doubtful legality. It provided for an annual general meeting at which business could begin as soon as seven Commissioners were present, and that business was to include the inspection of accounts, but the Act of 1721 had provided for a quorum of thirteen for the inspection of accounts. Again, the creation of the Committee was a very necessary measure, but it would need counsels' opinion to decide whether the powers of that body with its quorum of three were in keeping with the Act. Thus it was not only the inability of the Commissioners to sue for damages, but it was also the contrast between the statutory and the actual position of the Commissioners, which made necessary a recourse to Parliament.

CHAPTER V

THE STRUGGLE FOR THE AMENDING ACT

The Commissioners had shown themselves reluctant to apply to Parliament for an amending Act until their legal and financial difficulties made such an application essential. Superficially that reluctance seems hard to explain. The Act of 1721 was plainly defective and defective river improvement Acts quite frequently secured amendment. Moreover, the application would come from the Commissioners themselves who in a sense represented the county, so that it was not likely to meet with the county opposition, which the original Act had encountered. All that was true, but comparisons between the Weaver and other navigations are always rather misleading, for the Weaver was no ordinary navigation and the Commissioners were no ordinary Commissioners. The Weaver was held in trust for the county, whose reversionary interest might need protecting from those who would not share that interest. The Commissioners were Commissioners, trustees, and undertakers all in one, and as such they were applying for an Act which would lay down the conditions under which they themselves would have to improve and maintain the navigation. They were not seeking a measure which would establish an independent body of undertakers over whom they would exercise a desultory supervision. Moreover, in applying to Parliament the Commissioners would give the Liverpool merchants an opportunity of voicing their grievances and of bringing forward their own plan for improving the river. It was this that really made the Commissioners reluctant to reopen the controversy of two years before by seeking an amending Act, and the struggle that ensued showed that reluctance to be justified.

The meeting of 17 January 1760, which approved the application to Parliament, was attended by ten Commissioners, but others had already written to Sir Peter Warburton giving their approval. Peter Legh wrote that he approved of the Bill and would do his utmost to forward it. Sir Peter Leicester could not attend the meeting, but he too approved the application to Parliament on the grounds that they had " so little power (if scarce any) " under the old Act. Samuel Egerton could not attend as he " dare not ride this frost, not having been on horseback for many months ", but he enunciated the golden rule for all absentees by adding " whatever may be concluded at the meeting at Northwich will be agreable to me, as I think they that don't attend have no right to complain ". Only George Legh struck a discordant note. He sent two pages of suggested amendments to the Bill to Warburton on 17 January,

but he thought the Commissioners should continue with the present Act, "if the defects of it are not so great as to hinder the navigation being perfected and the material ends propos'd by it answer'd", rather than "to add the expence of a new Bill to the present heavy load of debts, especially as it may occasion the appropriating clauses to be brought into question in a House of Commons composed of many merchants, and the benefits proposed to the county defeat'd, or at least lessen'd by alterations made by the Commons".[1] This was a minority opinion, for the meeting proceeded to approve the application and to appoint the necessary agents. Mr. Yates,[2] "the solicitor in Parliament", was "desired to prepare the Bill for such amendment in pursuance of the plan or scheme [3] this day agreed on" and John Stafford was appointed "solicitor in the country for managing such business relating to the obtaining such Act as may be necessary to be done in the country". Stafford was to correspond with Yates "and from time to time to apply to Sir Peter Warburton, Peter Brooke, and George Heron, three of the Committee, for such directions as may be necessary during the application to Parliament". The management of the Bill in the Commons was entrusted to Lord Strange, who had agreed, in December 1759, to "take the Bill under his protection provided he had the concurrance of the representatives of the county and city of Chester and they would engage to second and support him in it". Thus on 18 January 1760 Warburton informed Strange that "it is concluded under the strength of your lordship's protection to venture our little vessel to sea and to beg the favour of you to present our petition to the House".[4]

[1] He added a suggestion that the revenue from the navigation should be used not only for repairing bridges but also for "building and providing one or more workhouses or hospitals in the said county and maintaining the same . . . and repairing the county houses now built and used for holding the general quarter sessions of the peace".

[2] Mr. Yates presents a difficulty. Was he the same person as the Yeates who appears in Stafford's letters and who was obviously concerned in the preparation of the Bill? It might be assumed that Yates and Yeates were different forms of the same name and were one and the same person, but the draft of a letter from Sir Peter Warburton to Lord Strange, dated 18 January 1760, speaks of Yeates preparing the Bill and showing it to "Mr. Yates the Council". The most reasonable explanation is that Yates, "the solicitor in Parliament", and Yeates were the same person, and that there was also a Yates, "the council", who was presumably the counsel consulted by the Commissioners in 1759 over Northwich Lock.

[3] This does not seem to have been preserved.

[4] At the same time Warburton asked Strange to see that the interests of the landowners were protected. He wrote: "The Weaver being naturally navigable to a place called Pickerons Boat or Lock, by the present Act tonnage is not paid below Pickerings Boat or Lock, and I must beg your lordship to take care in the passing of the Bill that it is not extended further down than Pickerons Boat or Lock, for if it is, all the gentlemen who have estates below that place, to which the river is navigable by nature, will be very great sufferers, and my estate in Sutton and

The petition was presented to the Commons on 26 January by Thomas Cholmondeley, M.P. for Cheshire, and not by Lord Strange, who was indisposed. It was in the name of the Commissioners and of several gentlemen, manufacturers, and other inhabitants of Cheshire and recited that the river had been made navigable, but that some of the works had been damaged and no satisfaction for that damage could be obtained under the old Act, which was in many parts defective. It prayed for a Bill to preserve, improve, and maintain the navigation. The petition was referred to a committee from which Lord Strange reported on 11 February. The report quoted the evidence of John Barrow and Thomas Kent. Barrow showed that Northwich Lock had been destroyed by the collapse of the roof of a rock-salt pit, which had been sunk near the lock and had worked under the bed of the river. He stated that the sinking of the roof of another rock-salt pit had caused part of the road on Witton Brow to collapse,[1] but if the road were repaired it would carry large quantities of salt to the navigation. Kent declared that it would cost £1000 to build a new lock at Northwich, that the undertakers could get no damages as they had no legal property in the navigation, and that no penalties could be imposed on people who obstructed the navigation by not raising sunken boats or by leaving lock gates open. Leave to bring in a Bill was granted, and Lord Strange, Mr. Thoroton, and Mr. Grosvenor were to prepare it.[2]

The parliamentary proceedings appeared to be going smoothly, but further north the " little vessel " was entering stormy waters. A wind, which at times reached gale force, was already blowing from the direction of Liverpool. Thomas Cholmondeley, on his return to Cheshire after presenting the petition, was " surprized and concern'd at the animosities and prejudices prevailing against it and threatening an opposition, particularly at Liverpoole ". He assured Colquitt of Liverpool on 6 February that the affair had not been undertaken " in a hugger mugger manner ", nor had there been any intention of keeping the Liverpool merchants in the dark. On the same day Warburton warned Strange that " our Bill is likely to meet with an opposition ", for the " gentlemen of Liverpool " objected to two of its proposed clauses. These were a clause giving the Commissioners power to lease out the navigation, for it was felt that lessees might not keep it in proper repair, and a clause giving the Commissioners power " of raising a sum upon the navigation ", for that might increase the debt and so delay the reduction of the tonnage

about Frodsham has been already considerably damaged by the navigation, houses which lye about Frodsham Bridge not taking half the rent now as they did before the Act for the navigation."

[1] There is no mention of this in the Commissioners' Minutes.

[2] *Commons' Journals*, xxviii. 729–30, 754. Thomas Thoroton was M.P. for Boroughbridge and Thomas Grosvenor M.P. for Chester.

by 3*d*., which, under the old Act, was to take place as soon as the navigation was clear of debt. Warburton added that the Commissioners hoped " to accommodate matters " with the Liverpool men, but he had in fact underestimated both the scope and the insistence of the Liverpool demands.

It was clearly desirable to come to some agreement with Liverpool if the Bill were not to meet with opposition in the House itself. To that end a meeting was held at Warrington on 11 February 1760, which was attended by three of the Weaver Commissioners, four Liverpool merchants, and John Blackburne, senr., who was apparently in the chair. The meeting agreed on proposals which became known as the " Warrington Treaty " and which involved far-reaching changes in the Bill. It was agreed to vest the property of the navigation in " the two representatives for the county of Chester, for the time being ". It is difficult to see quite what this unprecedented proposal meant or what was to be the relationship between the representatives of the county and the Commissioners and undertakers. The undertakers were to have power to borrow up to £30,000, including the existing debt, and " the mortgage hereafter made " was " to be subject to redemption after twelve months' notice ". From the money borrowed, £500 could be spent on the road at Witton Brow. On the navigation there was to be " five feet water at least in every part " and every new lock was to be made 18 ft. wide " clear within ". The undertakers were to put the works in good repair and keep them so, and, if they did not, the Commissioners could appoint others to do so. The Commissioners were to have a quorum of thirteen for annual meetings and five for other meetings except Committee meetings, " for which three shall be a competent number ". It was agreed that the proposal to incorporate the Commissioners, which the Commissioners themselves favoured, should be dropped. Elaborate rules were laid down for the regulation of the tonnage dues, which clearly reflect the interests of the Liverpool merchants trading on the river. Thus a flat master with coal, which had been brought down the Sankey navigation, could produce his receipt from the receiver of the tolls there, and it was to be accepted as proof of his cargo, though he could be forced to swear that he had paid no more. The salt officers' certificates were to be proof of the weight of rock or white salt shipped, which was the existing practice, and also the existing tonnage equivalents were to be maintained, such as three hogsheads of tobacco or two of sugar to the ton. Finally, the " tolls, rates or dutys " were to be reduced to 1*s*. a ton in fifteen years, but pipe clay, flintstone, coal, and slate were never to pay more than 1*s*., and " pig mettle, iron mine, iron stone, lymestone, brick, flagg, ashler stone, paving stone, and mill-stones " were never to pay more than 10*d*. a ton.

The Warrington Treaty plainly conceded the main demands of the

Liverpool merchants, but in making such concessions it aroused the opposition of those Commissioners who had not been a party to it. Sir Peter Warburton was the strongest opponent of it, for he felt that the representatives of the Commissioners had not only exceeded their instructions, but, what was worse, had sold the pass to the Liverpool men. He did not see why the property of the navigation should be vested in the knights of the shire, or why the Commissioners should be limited to borrowing £30,000, or why so large a quorum as thirteen was thought necessary, or why the locks should be wider than those of the Sankey navigation. Still less did he see why the Sankey receipts should govern tonnage on the Weaver, or why the existing tonnage equivalents, which were especially favourable to the merchants, should be maintained, or why the tonnage dues should be reduced in fifteen years, when there was no guarantee that the debt would be paid off by then, or why the Commissioners should be debarred from raising the 10*d.* and 1*s.* rates if they thought fit and if the trade would " bear it ". John Houghton, another Commissioner, agreed with Warburton. He thought an Act based on the Warrington Treaty " wou'd be worse for the county than our present Act, bad as it is ". He had been averse to any meeting with the Liverpool men, who could bring their objections to the House, where, if they were reasonable, they would not be opposed, and if they were unreasonable, they would be rejected. Warburton himself was " so much concerned at what our gentlemen have done at Warrington " that he could " hardly express it " and threatened that if the Commissioners did not reject the proposals, he would " never attend any future meetings ".

The Commissioners met at Northwich on 18 February 1760 to consider the Warrington proposals. After the proposals had been " read and maturely considered ", the Commissioners decided that " they did not appear to us such as we ought to accept, nor did the reasons given for them appear to us weight to induce us to recede from the plan agreed at the general meeting held at Northwich on 17 January last ". The Commissioners ordered Thomas Faithfull, their clerk, to write the following letter to John Blackburne :

By the order of the Commissioners for the river Weaver met this day, I am to acquaint you that they have maturely considered the alterations to the plan of the Bill proposed at Warrington, and after hearing the reasons given in support of them by Mr. Heron,[1] they are sorry to say, they don't appear sufficient to them to induce them to depart from their original plan in the material clauses, except that of the Commissioners being incorporated, which they are willing to drop. But if you gentlemen have any further

[1] George Heron, who had been one of the Commissioners' representatives at Warrington.

reasons to give for any of the alterations we must submit them to the managers [1] above.

It was a tart reply. It was also the last recorded Minute of the Commissioners,[2] but it was not the last word in the controversy.

The Warrington Treaty, which had aroused such opposition among the Commissioners, had been received more calmly by Lord Strange and John Stafford, who were hammering out the Bill in London. Strange had no difficulty in persuading Sir Ellis Cunliffe and Colquitt, who were defending the Liverpool interests, that the proposal to vest " the trust of the navigation in the members of the county " was " absolutely impracticable " for such members had not the " constant and uninterrupted succession " which a trust required. He also persuaded them that the clause providing for a reduction of tonnage dues would need the consent of the subscribers. He was prepared to drop the incorporation clause " merely to humour them " for it could be had " without the name of the thing ". They in turn agreed to a reduction of the quorum for the annual meeting from thirteen to nine. All this had been accomplished before the rejection of the Warrington Treaty was known in London, but, even when it was known, Strange continued to regard the Treaty as a basis for negotiation with Cunliffe and Colquitt. Stafford, however, rightly maintained that the " unlucky treaty " had " greatly embarrassed the affair " by putting them " under the necessity of making concessions which we otherwise might have avoided ".

Though Strange seems to have assumed that many of the Warrington proposals would have to be embodied in the Bill, there were difficult problems to solve which involved hard bargaining. The elimination of the county representatives, as trustees in whom the property of the navigation was to be vested, left a void which had to be filled. It was therefore suggested that the property and direction of the navigation should be vested in the Commissioners as proprietors and trustees and that a new body of commissioners should be appointed to mediate between the old Commissioners, now transformed into Trustees, and " any persons injured by taking their land &c.", with the right of appeal to a jury in cases of disagreement over the assessment of damages. This was the most sensible suggestion that had so far been made, not only because the existence of a separate body of undertakers and of mediators was almost universal in river undertakings,[3] but also because the old Commissioners could not continue to act as mediators. It was not only

[1] This presumably means the Commissioners whose names appear at the head of the Minute. They were Sir Peter Warburton, Sir Peter Leicester, Peter Brooke, Richard Barry, George Eaton, Thomas Hough, William Tatton, and John Houghton.

[2] A final meeting of the Commissioners was held on 13 March 1760, but it was not minuted.

[3] For some account of river commissioners as mediators, see Willan, *River Navigation in England*, pp. 48–50.

that they were " all interested in the reversion ", as Strange emphasized, but that as undertakers they could not be disinterested mediators. The suggestion for having " mediating commissioners ", which was first made by Stafford, raised the two further problems of who the commissioners were to be and of what they were to do. Strange was convinced that it was " absolutely improper to have any Cheshire Commissioners " for such Commissioners would be interested in the reversion of the profits of the navigation to the county. It was therefore proposed that the new Commissioners should be the Commissioners of the Land Tax for Lancashire and that any jury necessary for assessing damage should be summoned out of Lancashire. These Lancashire Commissioners were to have two main functions. Firstly, they were to mediate in disputed cases of damage and secondly, if the new Trustees allowed the navigation to fall into disrepair, the Commissioners were to take over the tonnage revenue, " put the works in good condition ", and then restore the revenue to the Trustees. These proposals caused great heart searching among the old Commissioners, but they finally agreed that the new Commissioners and the juries should be Lancastrian, provided the former were not " such as are in any way concerned in trade ". They insisted on safeguards against the new Commissioners seizing the tolls merely on the pretext that the navigation was not being kept in order. The tolls should be seized only " in case of total neglect of the Trustees, and of absolute necessity ". They should be seized only after the Trustees had been warned to put the navigation in order and had failed to do so. Moreover, there must be machinery to ensure that, if the tolls were seized, they would be restored to the Trustees as soon as the Commissioners had put the navigation in order. All these demands, which showed great distrust of the proposed Lancashire Commissioners, were met by the restrictions which the Act imposed on the Commissioners' activities.

The question of the new Commissioners and their powers had really arisen out of what Stafford called " the absurdity " of the Warrington proposal to vest the property of the navigation in the county representatives. It was easy enough to persuade Cunliffe and Colquitt of that absurdity, but it was not easy to persuade them to abandon or modify other of the Warrington proposals. The greatest controversies centred round the Liverpool demands for 5 ft. of water in the river, for locks 18 ft. wide, and for the reduction of the tonnage dues. These demands were pressed with such insistence that the Commissioners met on 13 March 1760 to decide whether they would proceed with the Bill, which had been presented and given a first reading two days before.[1] As Strange pointed out, if they wished to drop the Bill, they had better do so before the second reading, " as then the fees of the House will be saved ". The Commissioners decided, however, that they would try to get alterations in

[1] *Commons' Journals*, xxviii. 810.

the Bill, but, if these could not be obtained, they would nevertheless proceed with it. Sir Peter Warburton refused to sign this resolution. Two days earlier he had written to Strange, "I have nothing more to say than that I have done my duty to the best of my judgment for the service of the county and to beg your lordship to proceed in whatever manner you think fit and to pardon me for all the trouble I have so unluckyly put you to."

Warburton was strongly opposed to the demand for 5 ft. of water in the river and for locks 18 ft. wide. He had pointed out to Stafford at the end of February that to get 5 ft. of water above Northwich would result in flooding the land, and the river there was too narrow for 18-ft. locks. Moreover, even the new lock at Pickerings was not 18 ft. wide, so that, unless it were to be rebuilt of that width, it was useless to make the locks above it 18 ft. wide. There was much truth in this criticism. Pickerings Lock was 17 ft. $2\frac{1}{2}$ in. wide, and if all the locks up to Northwich were made the same width, it was estimated by John Golborne to cost £5400. There was already 5 ft. of water as far as Northwich, but between Northwich and Winsford the least depth was only 4 ft. 1 in. To make that part of the river 5 ft. deep would involve cutting a new channel and building new locks, which together were estimated, again by Golborne, to cost "£8000 and upwards". Henry Berry, on the other hand, thought it could be done "for a trifle of expence, £25 or some such matter", but by then Berry was discredited as a river engineer for his newly built lock at Pickerings was already collapsing. It was clearly a case for compromise and after much haggling the Liverpool interests accepted $4\frac{1}{2}$ ft. of water over the entire navigation and agreed that new locks should be made the same width as the existing, and collapsing, Pickerings Lock.

The demand for a reduction of tonnage dues in fifteen years and for reduced rates for certain commodities also met with strong opposition from Warburton and some of his fellow Commissioners. They felt that a reduction of tonnage dues should not be compulsory until the debt had been paid off, and there was no guarantee that it would be paid off in fifteen years. The reduced rates for certain commodities were the same as those actually in force, but Warburton maintained that the late undertakers had levied these lower rates only because they applied to goods in which they were interested as traders. He did not see why the future Trustees should not be allowed to raise these rates to the old statutory maximum of 1*s.* 3*d.* a ton, if they thought fit. Provided the trade would bear them, higher tonnage dues would result in an earlier liquidation of the debt, and the sooner the debt was liquidated, the sooner the clear profit would be available for the use of the county. The Liverpool merchants, on the other hand, were interested in the cost of carriage on the river and not in helping to create a clear profit for the

3. The Rock Pit Hole and Temporary Dam at Northwich, 1760

benefit of Cheshire. They were insistent that the tonnage proposals of the Warrington Treaty should be maintained and Strange seems to have accepted these proposals at an early date. As Stafford rather ruefully reported to Warburton, " the concessions made at Warrington " had " but too much influence upon our two senators ". The question of the tonnage rates was further complicated by the fact that it concerned the subscribers, who had a lien on the revenue arising from such rates. It was believed by the Commissioners that Parliament would not accept the proposed tonnage rates unless the subscribers gave their consent to them, which they were not likely to do. Stafford, on the other hand, after first emphasizing the need for the subscribers' consent to the proposed tonnage changes, came to hope that such consent would not be necessary for the passing of the Bill, for if it were considered necessary by Parliament and were not given, the Bill would be lost. Apparently the consent of the subscribers was not considered necessary, for Parliament accepted the Warrington tonnage proposals, although the subscribers had not agreed to them. Thus, despite Warburton's vehement opposition to the tonnage changes, the Commissioners were forced to see them embodied in the Act.

The subscribers, far from agreeing to the tonnage changes, had petitioned through their trustees against the Bill itself. The chief agent in this opposition was Thomas Gorst, though his fellow trustees gave him at least nominal support. Gorst may have been partly inspired by personal motives in his opposition to the Bill, for he had quarrelled with Sir Peter Warburton in 1758 and the breach between the two men had never been healed. It is not possible to discover now what lay behind the quarrel, unless the recorded incidents were really the causes of it and not just symptoms of a deeper conflict. There were two such incidents. In July 1758 Gorst prepared the indenture by which the transfer of power from the old undertakers was to be effected and brought it to the meeting on the 24th of that month. At the last moment, Warburton suggested to the Commissioners " some impropriety or defect in the deed " and insisted on an addition, which Gorst considered unnecessary and which he only made under protest. Gorst felt that the incident reflected on his integrity and competence. Later in the same year he wrote to Warburton pointing out that there were nine vacancies among the Commissioners and enclosing a list of nine names for those vacancies, including the names of his fellow trustees, Robert Moreton and Ralph Vernon. He suggested that some of those named could be warned to attend the meeting on 11 October, so that they would be available when they had been appointed. Warburton made no reply to this and at the meeting only three new Commissioners were appointed, though they included William Robinson, who was probably the Mr. Robinson of Gorst's list. Moreover, among the new Commissioners was Thomas

Hough, one of Warburton's tenants, who, according to his landlord, had an estate of £400 p.a. Gorst seems to have regarded Hough's appointment as an insult to himself and henceforth he and Warburton were not on writing terms. A year later, in October 1759, Gorst again tried to get Moreton and Vernon appointed Commissioners, but again he was not successful. The Commissioners at their meeting on 10 October 1759 showed which way their sympathies lay by passing a vote of thanks " to Sir Peter Warburton for his great care and constant attendance upon the business of the navigation ".

The estrangement between Gorst and Warburton was complete when the decision to apply to Parliament for an amending Act raised the question of the attitude of the subscribers to that application. Two of the trustees for the subscribers, Moreton and Vernon, signed the petition for leave to bring in the Bill, but Gorst did not. In the draft of the Bill itself the trustees objected to two clauses. Firstly, they objected to a provision that would have prevented them " from assigning their debts at their discretion ". Their objection may have been successful, for the clause seems to have been dropped and the Act allowed transfers of the debt under certain conditions. Their second objection was more serious. The Commissioners proposed that they should be given power to repay the subscribers and any subsequent creditors on giving them twelve months' notice of such repayment. The trustees maintained that the subscribers had lent their money on the understanding that it should only be repaid either at their own request or when the clear profits of the navigation were available for such repayment. In other words, they claimed the right to receive 5 per cent on their money if they so wished, until that money was repaid out of the profits. The Commissioners, for their part, wanted the right to borrow money at less than 5 per cent and to use that money for repaying the subscribers. If they could borrow at less than 5 per cent then such repayment would effect a saving on the interest charges of the navigation. In an attempt to reach agreement the Commissioners inserted a provision in the Bill which would have postponed their right to repay the subscribers until four years after the Bill was passed.

The trustees for the subscribers rejected this compromise and petitioned the Commons on 28 March 1760, praying that the interests of the subscribers might be preserved and that the Bill should not pass in its present form. The petition was referred to the Committee to which the Bill had been sent after its second reading six days before, and the petitioners were given the right to be heard either by themselves or by counsel before that Committee.[1] The Committee dealt with the petition on 2 April and, according to Stafford's somewhat biased account, found it " frivalous and founded on false facts ". Gorst himself did not give

[1] *Commons' Journals*, xxviii. 810, 813, 844.

evidence, but his nephew attended the Committee and attempted to prove " that the subscribers were the only persons that offered to lend any money ". This was disproved when " a letter under his own hand was produced and read which directly proved the contrary ". As a result, not only was the petition disregarded, but the Committee struck out the clause allowing the subscribers " 4 years time of continuance of the security at 5 per cent ". This was done on the grounds that it was " thought to be unconstitutional to oblige Trustees for the publick to pay any higher rate of interest than they were under any necessity of paying ". Stafford regretted the expunging of this clause, which he thought would " be look'd upon as the effect of resentment ". He hoped the " gentlemen in the country " would feel themselves " bound in honour " to give the subscribers the promised four years' security which in fact they did.

The petition from the trustees was the only one presented against the Bill, and there was none in its favour except the original petition for leave to bring in the Bill. To those who remembered 1720 it must have appeared all rather dull. The Bill was reported from the Committee on 3 April, when the amendments made in Committee were agreed to, though one of them seems to have caused difficulties for it was only accepted after the Bill had been recommitted. The Bill passed its third reading in the Commons on 15 April.[1] Its passage through the Lords was uneventful and it received the royal assent on 22 May 1760.[2]

The Act of 1760 [3] shows the measure of the success and failure of the Commissioners in their struggle with the Liverpool merchants. It was a long and complicated Act in 62 sections. Even so it was only an amending Act, for all the powers of the earlier Act of 1721 were to remain in force, except where they were repealed or altered by the later Act. The main features of the new Act were the creation of a body of Trustees, the institution of mediating Commissioners, the provisions for finance, and the regulation of the tonnage dues.

A body of 105 named Trustees [4] was appointed, to whom were assigned the powers held by the former undertakers. When vacancies occurred new Trustees were to be elected in the same way and with the same property qualification as the Commissioners in the former Act. The Trustees were in fact the county gentry, as the old Commissioners had been. In these Trustees was vested the property of the locks and other works on the river and of the land on which they stood. They, or five

[1] Ibid., 857, 863, 927.

[2] *Lords' Journals*, xxix. 656, 660, 666, 668, 701.

[3] 33 Geo. II, c. 49.

[4] They consisted of " six peers, six honourables, thirteen baronets and knights, seventy two esquires, eight reverends and doctors of divinity ", Calvert, op. cit., p. 450.

of them, could bring actions " in the name or names of any one or more of them, or in the name of their treasurer or clerk for the time being " against any person who damaged the works. Thus, though not incorporated, the Trustees could sue as if they were a corporate body. In addition they had the right to buy or rent messuages, mills, weirs, land, or tenements.

The Trustees were to hold an annual general meeting on the first Thursday in July, at which the quorum was to be nine [1] and which was to examine the accounts and appoint a Committee, with a quorum of three, to direct the work of the navigation. No order was to be made by the Trustees unless the majority concurred, " such majority not being less than the number of Trustees hereby authorized to make any such order ". No order was to be " revoked or altered, unless nine Trustees shall be present and concur therein ". The Trustees were to appoint a collector or collectors of the tonnage dues and a treasurer or treasurers to whom the dues were to be paid over. The Trustees themselves, or persons appointed by them, were to make and keep the river navigable and they could repair or rebuild the road from Witton Common to Witton Bridge, upon which they could spend up to £600. They could also build quays and warehouses, but not between Frodsham Bridge and Pickerings. Similarly, owners of land could erect warehouses and wharves on their land, provided they did not obstruct the navigation. In building new or rebuilding old locks, the Trustees were to make them at least as wide as Pickerings Lock, and they were to proceed " with all possible and convenient speed . . . to put the locks, weirs, and other works of the said navigation into such good order and condition, that there may be a sufficient water-way, of the depth of four feet and a half at the least, throughout the whole course of the navigation ". Once this depth had been secured, it was to be maintained.

The building of wider locks and the creation and maintenance of a " sufficient water-way " might obviously involve both buying land and damage to land. If the Trustees could not agree with landowners over the price of land or over the assessment of damages, the Commissioners of the Land Tax for Lancashire, or nine of them, were to fix the price of the land or assess the damages.[2] If either side rejected the award or refused to treat, the Commissioners were to direct the sheriff of Lancashire [3] to empanel a jury of twenty-four, who should fix the price or assess

[1] If nine were not present, five could secure an adjournment.

[2] If there were no such Commissioners then " the persons who were the last Commissioners of the Land Tax for the said county, and such persons as are qualified to have acted as Commissioners of such Land Tax ", or nine of them, were to act. A Commissioner had to have freehold, copyhold, or leasehold lands assessed in Lancashire to the value of at least £100 p.a.

[3] Or one of the coroners if the sheriff were " interested ".

the damages, and whose award was final. If the jury awarded more than the Trustees had offered, then the Trustees were to pay the expenses of the jury and witnesses [1]; if they awarded no more or less than the Trustees offered, then the expenses were to be borne by the person complaining. Future damage caused by raising the water or diverting the stream was to be assessed in the same way when necessary. No Commissioner or juryman was to act in cases where he was personally interested. This mediating function by Commissioners was provided for in most river Acts, though the use of Land Tax Commissioners for that purpose appears to be unique. The other function given to the Commissioners in 1760 was more unusual. The Act laid down that if, " by reason of any neglect or default of the said Trustees ", the works on the river got so out of repair or the river itself got so choked up " as to render the said navigation ineffectual ", the Commissioners could request the Trustees to carry out specified repairs. If the Trustees did not " proceed with convenient speed " to carry out those repairs, the Commissioners could appoint a person or persons to take possession of the works, receive the tolls, and carry out the repairs. When two out of three skilful persons, of whom one was to be appointed by the Trustees, one by the Commissioners,[2] and one by the other two, judged that these repairs had been satisfactorily carried out, the power of the receivers was to cease and the property of the navigation was to revert to the Trustees. This elaborate mechanism, which reflects the old Commissioners' distrust of their Lancashire successors, was never brought into use.

The improvement of the navigation to bring it up to the standard laid down in the Act would obviously involve considerable expenditure. There was already a debt of £20,500 on the navigation, of which £18,000 carried interest at 5 per cent and £2500 at 4½ per cent. This debt and the interest upon it were made payable " out of the tonnage rates and duties " and the existing creditors could take " assignments " under the Act in lieu of their existing securities on giving notice before 24 June 1761. The Trustees could borrow more money at not more than 5 per cent after notice had been given in the Chester, Liverpool, or Manchester papers or in the *London Gazette*. Such money must be borrowed from those willing to lend at the lowest rates of interest, but there was no limit to the amount that might be borrowed. This money was to be used for defraying the expenses of the Act, for maintaining and improving the navigation, for discharging the principal and interest due to any persons,

[1] No person was disqualified from being a witness by reason of being an inhabitant or entitled to land in Cheshire unless " immediately and particularly interested in the matter in question ".

[2] If the Commissioners refused to name a person, or named one who refused to join in naming the third, the Trustees could appoint two or more persons to view the works and certify them sufficiently repaired.

for carrying into execution the purposes of this and the former Act, and for " no other use or purpose whatsoever ". The money borrowed was to be secured by an assignment of the tonnage dues to the lenders and such assignments could be transferred on endorsement. The assignee in such transfers could assign again " and so *toties quoties* ". Every mortgage or assignment, which had been or would be made, was subject to redemption upon twelve months' notice to be given by the treasurer or clerk to those entitled to the money. When all the money, which had been borrowed, had been repaid, the clear profits were to be used, firstly for repairing the public bridges in Cheshire, then for repairing the highways in the county, and finally for " such other publick charges and uses of the said county " as the justices of the peace in quarter sessions should " yearly order, direct, and appoint ". Thus the reversionary interest of the county was protected.

The reversionary interest would never have value unless the annual income from tonnage dues exceeded the annual expenses of the navigation, but the Act regulated the tonnage dues more in accordance with the demands of the Liverpool merchants than with the wishes of the old Commissioners. After 29 September 1760 the tolls on pipe clay, flintstone, coal, and slate were not to exceed 1*s.* a ton, and those on pig metal, iron mine, iron stone, limestone, brick, flag, ashlar stone, paving stones, and mill stones were not to exceed 10*d.* a ton. Fifteen years after that date no tolls were to exceed 1*s.* a ton. Moreover, the Act accepted the existing tonnage equivalents,[1] which were favourable to the traders. Power was given to the tonnage collectors to weigh or measure cargoes, but in cases of dispute over salt, the salt officers' certificate was to be accepted. Goods or boats could be distrained for failure to pay tonnage dues.

Finally, the Act made elaborate provision for dealing with damage to the navigation and hindrances to the passage of boats. The Trustees had a general right to sue for damage, as the body in whom the property of the navigation was vested, but such civil action was not considered a sufficient protection. Persons maliciously damaging the works were to be guilty of felony and could be fined, imprisoned, or transported for seven years. Persons carelessly doing damage could be fined up to £2 by Lancashire justices of the peace. Masters or owners of boats were answerable for damage done by their crews, but any boatman could be fined for unnecessarily leaving open lock gates or gates on towing-paths.

[1] Any of the following was to be counted as one ton : 40 bushels rock or white salt ; 8 barrels sugar of not more than 300 lb. each ; 2 hogsheads sugar of not more than 1200 lb. each ; 3 hogsheads tobacco of not more than 800 lb. each ; 4 tierces of not more than 600 lb. each, or 3 of not more than 800 lb. ; 63 cubic feet of coal, charcoal or cinders ; 20 cwt. of clay of 120 lb. each ; 21 cwt. of flint of 120 lb. each ; 50 ft. of round or 40 ft. of square oak timber ; 50 ft. of fir, balk, poplar, or other wood.

A penalty of £5 was imposed on persons obstructing the passage by overloaded boats. All boats were to bear their owner's name and to carry marks showing how far every 5 ton weight of loading " will sink the same into the water ". By all these means it was hoped that the defects of the earlier Act would be remedied.

The Act of 1760 regulated the administration of the Weaver for more than a century. It removed many of the disabilities under which the navigation had laboured, but it did more than merely " plug the holes " in the earlier measure of 1721. In abolishing the uneasy condominium of the old Commissioners and undertakers and in substituting control by Trustees, it established a machinery of administration which was unusual, but which was made necessary by the peculiar position of the navigation as a county trust. Whether that machinery would work well depended largely on the men who ran it. The new Trustees who took over power and responsibility in 1760 had certainly no easy task in front of them.

CHAPTER VI

THE TRUSTEES IN POWER

The new Trustees, who were but the old Commissioners writ large, held their first meeting on 19 June 1760 at Northwich. They recorded their thanks, on behalf of the county, to Lord Strange "for the great pains he took the last session of Parliament" in obtaining the new Act, and they desired Sir Peter Warburton "to signify the same to his lordship". Warburton, who must have disliked many of the provisions of the new Act, nevertheless gave his time and energy to its execution. "Our favourite Miss Weaver", as George Heron once called her, had been saved from an unsuitable match with a Liverpool merchant, but she was still a ward of the county and Warburton was her chief guardian. It was to him that reports were sent on the progress of the works in hand. It was to him that Thomas Garratt, the supervisor of those works, sent a salmon, carefully explaining that it had been caught "last night after working hours". Such material rewards were rare and unsought, but Warburton may have derived some satisfaction from the knowledge that it was to him that men turned for advice and assistance in the difficult task of improving and maintaining the navigation.

The Trustees were faced with many problems, of which finance was perhaps the most pressing. They resolved at their first meeting that the subscribers should not be obliged to accept repayment before 29 September 1764, except from money arising from the tolls. This was in accordance with the promise the old Commissioners had made to the subscribers during the negotiations over the Bill, for the Act itself allowed such repayment upon giving twelve months' notice. Actually there was no immediate inducement to make such repayments, for there were no clear profits available for them, and the Trustees found that they could not borrow at less than the 5 per cent which they paid the subscribers. Indeed, it was necessary to borrow more money both to carry on the works on the river and to meet the expenses of obtaining the Act. Sir Peter Warburton and George Heron had already borrowed £1000 on their own security for the works. This had been obtained from John Mainwaring of Knutsford, and Thomas and Samuel Barnett, yeomen, of High Legh, who agreed that it should be converted into a debt on the navigation. Other sums had to be borrowed for the purchase of timber and to meet Stafford's bill of £599 10*s*. 9*d*. for costs in obtaining the Act of Parliament.

Comparatively small loans for carrying on the works and for meeting parliamentary costs did not present great difficulties, but the demands

of the old subscribers almost precipitated a financial crisis. The subscribers were empowered by the Act to take assignments of the tonnage dues in the form prescribed by the Act in lieu of their existing securities. Some subscribers, whose loans amounted to about £7000, did this. Two or three others appear to have been content with the old security afforded by the agreement of 24 July 1758. Other subscribers, however, gave notice to the Trustees for the repayment of their loans within six months. The right to claim this repayment must have rested on the agreements of 1758, for it had no statutory basis in the Acts of 1721 and 1760. It was certainly recognized as a right by the Trustees, who seem at first to have hoped that such repayments could be made with money borrowed at less than 5 per cent. Thus, when Richard Parry Price asked for the repayment of £1000 which had been subscribed by his wife [1] in 1758, it was reported to him that " Sir Peter and the other gentlemen " seemed well pleased that he should " take in his money as they don't question being able to borrow it at a lower rate of interest ".[2] That was an optimistic forecast for there was some difficulty in raising the money. Thomas Assheton offered to lend it at 5 per cent and then withdrew his offer. Lord Derby was approached, but he had already disposed of his money " more than my own occasions may soon require, upon a good security at £4 per cent ". He explained that " the lowness of the stocks at present is the occasion of several monied men purchasing into those funds, in hopes of a great rise whenever we shall be blessed with a peace ".[3] The money was finally raised on 2 October 1760 in three sums of £500 from Frances Downes of Stockport, £300 from Somervile Macquean of Knutsford, and £200 from Sir Peter Leicester of Nether Tabley.

Price's demand for repayment was the beginning of what amounted to a " run on the bank ", for four of the subscribers gave notice for the repayment of £5500 on 2 February 1761. Stafford was convinced that this was the result of Gorst's machinations and that Gorst was trying " to distress the Trustees into a compliance to pay the costs of the opposition his clyents gave to the proceedings in Parliament ". He was equally convinced that Gorst was using his influence to prevent people from lending money to the Trustees. Whether that was true or not, there was certainly difficulty in borrowing the money. On 2 February 1761 Stafford wrote to Warburton, " I am doing all in my power to raise the wind but fear we shall not be able to muster up above £3000 in the whole ".[4] The following day Peter Brooke suggested to Warburton that they might try the Chester bankers.[5] That, however, was not necessary,

[1] She was then Dorothy Byrne.
[2] Lady Margaret Stanley to Dorothy P. Price, 26 May 1760 (Arley MSS.).
[3] Lord Derby to Sir Peter Warburton, 5 September 1760 (Arley MSS.).
[4] John Stafford to Sir Peter Warburton, 2 February 1761 (Arley MSS.).
[5] Peter Brooke to Sir Peter Warburton, 3 February 1761 (Arley MSS.).

for at a meeting of the Trustees on 5 February it was reported that £5620 had been offered to them on loan. This sum comprised £1500 from Thomas Tatton of Hulme Walfield, £1000 from John Colquitt of Liverpool on behalf of the trustees of the Seamen's Hospital there, £600 from Thomas Ravenscroft of Leftwich, £520 from Frances Ravenscroft of Leftwich, £500 each from Jonathan Brayne of Northwich, Henry Pennee of Knutsford, and John Stafford of Macclesfield, £250 from George Heron of Daresbury, £150 from Lady Jane Stanley of Knowsley, and £100 from Samuel Wright of Nether Knutsford. Some of this new capital had come from the Trustees themselves [1] and most of it had been raised within the county, which was to be a feature of future borrowing.

The financial crisis was over, for in the next twelve months the Trustees were only called upon to repay £4500 to subscribers and they appear to have had no difficulty in raising the money. In March 1761 they borrowed a further £5000 [2] and in February 1762 £2800 more.[3] Thus the Trustees could raise the necessary money, but they found it impossible to borrow at less than the statutory maximum of 5 per cent. They tried to do so, but incautious lenders like Thomas and Samuel Barnett and John Mainwaring, who had offered their money at 4½ per cent, quickly withdrew their offers and demanded 5 per cent, which the Trustees agreed to pay. Similarly, Edward Pemberton and the churchwardens of Great Budworth, who had lent at 4½ per cent in 1759, gave notice to have their loans repaid unless the interest was raised to 5 per cent. Again the Trustees agreed to pay 5 per cent, "it being found impracticable to get money upon security of the navigation at lower interest than £5 per cent". Thus the entire debt on the navigation carried interest at 5 per cent and continued to do so.

The debt, which had stood at £20,500 in May 1760 when the Act was passed, had risen to £25,320 two years later. This increase was accounted for partly by the expenses of obtaining the Act, but chiefly by the cost of the works on the river. The Trustees were under a statutory obligation to provide 4½ ft. of water to Winsford as quickly as possible, but apart from that they had inherited an improvement plan which was far from completed. That plan had been begun under the supervision of Henry Berry and Robert Pownall, but Berry's work had proved unsatisfactory

[1] Of the lenders, Thomas Tatton, Thomas Ravenscroft, John Stafford, and George Heron were Trustees.

[2] This comprised £2000 from Thomas Tatton, £1700 from Jonathan Brayne, £600 from Frances Mainwaring, £500 from John Smith of Northwich, and £200 from Isaac Allen.

[3] This comprised £1000 from Mrs. Jane Shakerley of Egham, £800 from William Smith, Dean of Chester, £500 from the trustees of the Blue Coat Hospital, Liverpool, £200 each from John Smith of Northwich and Sarah Verdon of Arley, and £100 from Joseph Hadfield, clerk, of Nether Tabley.

and he had been dismissed by the old Commissioners before 1760. The Trustees retained Pownall's services by appointing him on 3 July 1760 as treasurer and " director and surveyor of the works belonging to the navigation " at a salary of £70 p.a. This was apparently not considered a full-time job, for Pownall was also employed by John Blackburne, a Liverpool trader on the river. Blackburne tried to force Pownall to resign his appointment under the Trustees and to devote all his time to his, Blackburne's, business.[1] The Trustees resisted this and they must have persuaded Pownall to leave Blackburne's employment, for on 2 July 1761 they appointed him collector of the tonnage dues at Northwich, inspector and manager of the works, and keeper of the accounts at a salary of £130 p.a. The separate collectorship of the tonnage dues at Northwich, which had been held by John Dicken, was abolished, but Thomas Kent was continued as collector at Winsford at £40 p.a. At the same time Jonathan Brayne was appointed clerk to the Trustees in the room of Thomas Faithfull, deceased, and treasurer of the money received from tonnage dues at £50 p.a. Kent and Pownall were to pay over to Brayne every month the money they received from tonnage dues, and Brayne was to pay it out for the use of the navigation.

The Trustees had thus established their administrative staff along the lines laid down by the old Commissioners, and there was certainly plenty for that staff to do. It is clear that some of the improvements planned in 1758 had been carried out, but four important works were as yet uncompleted. These were the lock and weir at Pickerings, the locks at Northwich and Saltersford, and the Witton Brook navigation.

The new lock, weir, and cut at Pickerings had been made under Henry Berry's supervision. The breach in the cut caused by the " fresh " in March 1759 may not have been Berry's fault, but later the works showed defects which were due to his mismanagement. His weir was " intirely washed away " and after that the old Commissioners had thought it " imprudent to employ him any longer " and had therefore " set another person about the business ".[2] This appears to have been Robert Pownall, who built a temporary dam to replace the weir.[3] This was inspected by John Golborne, who reported to Warburton on 9 November 1759 that he had viewed the weir and that " the blowing of it up " had been caused by a " stratum of quicksand which lay below the foundation ". The " present work " was " executed in a much better manner " for it had been sunk through the quicksand to a firm foundation " on a stratum of hard gravel ".[4] This temporary dam survived the

[1] The somewhat acrimonious correspondence between the Trustees and Blackburne over Pownall's position is among the Arley MSS.

[2] ? Sir Peter Warburton to ? John Stafford, ? 1760 (Arley MSS.).

[3] Sir Peter Warburton to Lord Strange, 18 January 1760 (Arley MSS.).

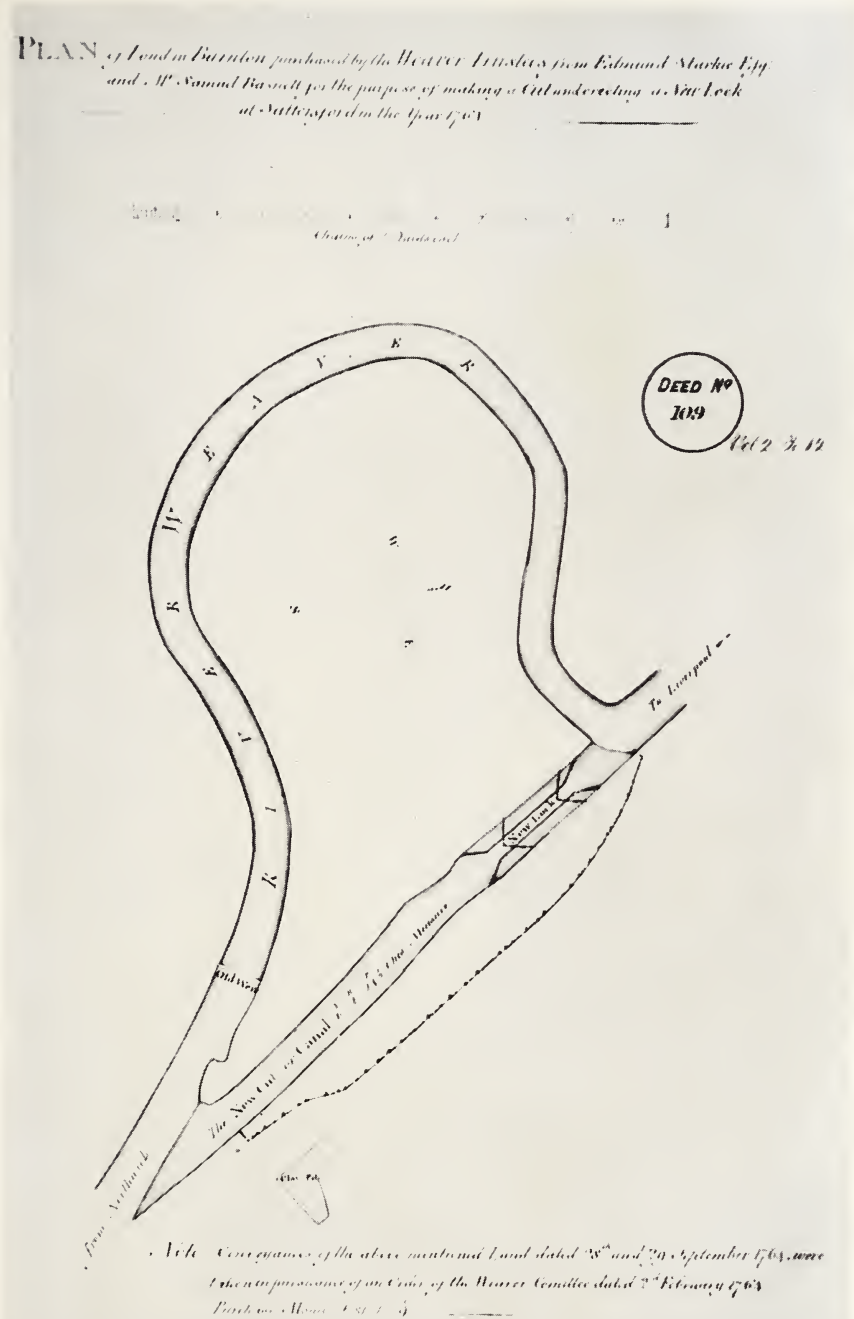
[4] John Golborne to Sir Peter Warburton, 8 November 1759 (Arley MSS.).

winter, but on 18 March 1760 Golborne reported that the lock itself was collapsing, for " the wall of one side was bulged owing to the foundations giving way " and this wall " opened whenever the chamber was filled with water ". These, as Golborne said, were " alarming circumstances ".[1] They were also a poor testimonial to " Mr. Berry, the Liverpool gentlemen's agent ", as Warburton called him.[2] It would be interesting to know whether Berry's technique was only suitable for the " dead water " of the Sankey Brook navigation and was quite unsuited to the anything but dead water of the Weaver. Perhaps he was merely incompetent. He was certainly expensive, for by the time his lock was collapsing a total of about £5000 had been spent on the works at Pickerings. The Trustees had the task of repairing the damage. They built a new weir upon which work was in progress in the spring and summer of 1761, though there was a slight interruption in June when " the races on the Forest took most of the men from the work ".[3] The weir does not seem to have been finished until late in that year or early in 1762. The lock " still continues to give way ", according to a report of the Trustees' Committee on 5 November 1761, when Pownall and Brayne were ordered to find a site for a new one. They reported a month later that they had found a site, but that the old lock would do if it were repaired and if a swivel bridge over it were removed. The lock was apparently repaired and not rebuilt, but in two years the Trustees had had to spend £1505 on the works at Pickerings.

The new locks at Northwich and Saltersford had been begun before the Trustees took office. In June 1759 half a million bricks were ordered to be made for Saltersford and in March 1760 labourers were discharging " large stones from Liverpool at Saltersford ".[4] Both locks were completed without incident. Northwich Lock, which was finished by the end of 1761, cost £2424, and the works at Saltersford, which included a short cut as well as the lock, were completed about a year later at a cost of £4229. At the same time extensive repairs were being made to the other works on the river. These cost £5539 in the four years from April 1760 to April 1764, which suggests that the Trustees were making a serious effort to carry out their obligation under the Act.

Apart from their obligations under the Act of 1760, the Trustees had inherited a task which the earlier Act of 1721 had provided for, but which had long been neglected. That was the task of making Witton Brook navigable. The original undertakers had been empowered by the Act of 1721 to make Witton Brook navigable as far up as Witton Bridge, but neither they nor their successors had carried out the work.

[1] John Golborne to Sir Peter Warburton, 18 March 1760 (Arley MSS.).
[2] Sir Peter Warburton to John Stafford, 27 February 1760 (Arley MSS.).
[3] Thomas Garratt to Sir Peter Warburton, 14 June 1761 (Arley MSS.).
[4] Thomas Garratt to Sir Peter Warburton, 11 March 1760 (Arley MSS.).


PLAN of Land in Farnton purchased by the Weaver Trustees from Edmund Starkie Esq and Mr Samuel Barnett for the purpose of making a Cut and erecting a New Lock at Saltersford in the Year 1763
DEED No 109
To Liverpool
New Lock
Old Lock
The New Cut or Canal
From Northwich

4. The New Cut and Lock at Saltersford, 1764

It was not until 1756 that the old Commissioners had resolved that the Brook should be made navigable. Patten and Dickenson, who had not yet resigned their powers as undertakers, contracted out the work to a group of men who included John Barrow, Richard Heyes, John Mort, and William Antrobus. These Witton Brook contractors were to make the Brook 3½ ft. deep and were to receive £700 for doing so, of which £400 was paid to them on 5 March 1757. A further £200 was paid to them on 24 July 1758, when Berry was ordered to view their work and report on its condition. His report must have been unfavourable, for it was decided in October to withhold the remaining £100 until the work was finished and compensation had been paid to landowners for damage they had sustained. If this were not done, the contractors were to be sued for breach of contract. Nothing further seems to have been done before the Trustees came into office.

The Trustees at once ordered an inquiry into the state of the Brook, to see whether the contractors had performed their contract. It was clear from the Committee's report of 7 August 1760 that they had not done so, for the lock on the Brook needed a new pair of upper gates, part of its frame needed repairing, and the Brook below the lock needed clearing of sand. The contractors were ordered to make good these defects. They failed to do so and were again ordered to perform their contract or a bill in Chancery would be filed against them. They then sought escape in legal subtleties, claiming that they could not carry out their work because the power of the undertakers, under whom they were to have acted, had lapsed. This was countered by the Trustees drawing up and signing an instrument authorizing the contractors to complete the work. Again they failed to do so and the Trustees themselves were forced to carry out some necessary repairs at a cost of £132 16*s.* 10*d.* and to pay £100 to Sir Peter Leicester for land which the contractors had used. The £100 was counted as the final instalment of the £700 originally promised to the contractors, but they were ordered to repay the cost of the repairs and to pay any compensation still due to landowners. It was only after Chancery proceedings had been begun against them that the contractors agreed to these terms. They agreed also, on 1 July 1762, to pay the costs of the proceedings and to complete their contract within four months. Though they duly paid the £132 16*s.* 10*d.*, they did nothing more to fulfil "the treaty". Finally, on 5 July 1764, the contractors, who claimed to have lost more than £600 on their work, agreed to pay 30 guineas to the Trustees in return for being discharged from their contract. This was agreed to, provided they paid the cost of the Chancery proceedings and the compensation to landowners. There is no evidence that they paid anything except the 30 guineas.

This tedious dispute with the contractors shows one of the problems

which the Trustees inherited from their predecessors. The root of the trouble was probably that the contractors, having rashly undertaken the work for £700, soon found that the Brook could not be made navigable for that sum, and so attempted to shuffle out of their contract. The contract itself had been made obsolete by the Act of 1760, for it provided for only 3½ ft. of water, whereas the Trustees were obliged to provide 4½ ft. This provision might not legally apply to Witton Brook, but it was clearly desirable to preserve uniformity, so that the largest boats could use the Brook as well as the Weaver itself. Thus, on 7 April 1763, the Trustees ordered Pownall to cleanse and deepen the Brook so as to give 4½ ft. of water. Nothing, however, was done at once, for a year later John Blackburne and his son complained to the Trustees of their losses during the past thirteen months, occasioned by the fact that the Brook was not navigable at all. They asked that it should be made navigable according to the Act. Three months later, in July 1764, they renewed their request, adding that the depth should be 4½ ft. Pownall was thereupon ordered to proceed with the work.

Pownall produced his plan for Witton Brook at a meeting of the Trustees' Committee on 6 September 1764. The Committee decided to submit the plan to no less an expert than James Brindley. They ordered

> that Mr. Pownall do forthwith consult and advise with Mr. Brindley about the said plan and whether any better method can be used to keep the said Brook clear and also about fixing a new lock and other works proper to compleat the navigation of the said Brook . . . and Mr. Brindley is desired to prepare an estimate of the expenses of the said works and deliver the same to the Committee at their next meeting.

Brindley "viewed Witton Brook and the adjacent land and the map or plan prepared by Mr. Pownall of a new cut or trench proposed to be made to take off the waste water and keep the said Brook free from sand". He attended the next meeting on 4 October and reported

> that he approved of the said plan and the place proposed for fixing a new lock, and delivered in an estimate of the expence of the said proposed work and on examination declared that he could not think of a properer method of compleating the navigation on the said Brook but what would be attended with a much greater expence.

It must have been a proud day for Pownall when his plan was approved by the leading canal engineer of the time. As George Heron wrote to Sir Peter Warburton a fortnight later, "Mr. Brindley . . . did Pownal the credit to say the plan he proposed was the only one and the cheapest that could be followed". According to Heron, Brindley's estimate of the cost was "above £3000".[1] The Committee adopted the plan on 1 November and ordered Pownall to proceed with building the new lock,

[1] George Heron to Sir Peter Warburton, 18 October 1764 (Arley MSS.).

which was to be in Brine Sheath meadow and which was to be so constructed that the navigation could be extended to Budworth Mere if the Trustees hereafter thought proper. The Trustees did not think the extension proper, for they had in fact no power to make it without a new Act of Parliament, but the work on Witton Brook was carried out at a cost of £3967, much of which seems to have been spent on the lock.[1]

The improvement of Witton Brook had been authorized by clauses in the Act of 1721 which were still in force. The later Act had said nothing about such an improvement, but it had authorized the repairing or rebuilding of the road from Witton Common to the end of the navigation at or near the north side of Witton Bridge. The Trustees showed no great eagerness for this task, for it was not until 1 July 1762 that they approved of a plan for the road. This involved filling in the rock pit hole and making a new road on the east side of it. For this 22 perches [2] of land were bought from Charles Legh for £16 10*s*., a purchase which, rather ironically, had to be negotiated through Legh's agent, who was Thomas Gorst. The total cost of the work was only £140 8*s*. 2*d*., which was well within the £600 the Trustees had been authorized to spend by the Act. When in 1767 another rock-salt pit fell in and made the road dangerous, John Bebbington, a surveyor of highways in the township of Wincham, asked the Trustees to repair the road. They sought counsel's opinion as to whether they could spend the remainder of the £600 on the road. Hugh Heyward of Chester, who was consulted, declared that the Trustees had only a discretionary power and having once repaired the road, that power was at an end. If they repaired it again, it would be a breach of their trust and in opposition to the Act, which had only meant them to ease the inhabitants, not to take away their burden of repairing the road. This austere view was probably correct, but it is doubtful if its legal correctness commended it to the inhabitants of Wincham.

The Trustees were bound by the terms of the Acts under which they operated and if those terms did not allow them to continue to repair the Witton Brow road, they gave them sufficient scope for improving the river itself. There is little doubt that much was done on the river during the first few years after the Trustees took office. New locks were completed and old ones repaired. Witton Brook was made navigable. This work was done without seriously interrupting the trade of the river, which continued to expand. In the 'sixties the average yield of the tonnage dues was £4563 p.a., an increase of 56 per cent on the previous decade. This income was derived from the same sorts of goods as before.

[1] A map of Witton Brook dated 1765 is reproduced in Calvert, op. cit., p. 307.

[2] This was probably Cheshire measure and so equalled about 46 perches statute measure.

Thus from 6 April 1762 to 5 April 1763 [1] the total trade was 76,951 tons 18 cwt., of which 68,146 tons 6 cwt. comprised the Northwich and 8805 tons 12 cwt. the Winsford trade. The Northwich trade included 20,255 tons 33 bushels white salt, 30,391 tons 13 bushels rock salt, 14,567 tons 15 cwt. coal, 1085 tons 8 cwt. merchants' goods, 941 tons 18 cwt. pipe clay, 228 tons 18 cwt. paving stones, 208 tons limestone, and 207 tons 16 cwt. slate. The Winsford trade was not so dominated by salt and coal. The former, all of it white salt, amounted to 3097 tons 27 bushels and the latter to 542 tons 10 cwt. The other important cargoes were : pipe clay, 2877 tons 2 cwt. ; merchants' goods, 1621 tons 11 cwt. ; pig metal, 536 tons 1 cwt. ; slate, 78 tons 15 cwt. ; and flintstones, 50 tons. The amount of flintstones was exceptionally small, for during the 'sixties an average of 535 tons 19 cwt. p.a. was shipped to Winsford.

The river trade as a whole continued to be dominated by salt, which accounted for about 70 per cent of the total by weight. Coal and salt together amounted to nearly 90 per cent of the tonnage carried on the Weaver. The remaining 10 per cent consisted largely of the raw materials of industry such as pipe clay and pig metal, heavy building materials and that heterogeneous category, merchants' goods. The merchants' goods of the 'sixties were similar to those of earlier decades. Cratesware, sometimes described as Burslem ware, was still going down the river. Upstream came a great variety of food and drink, some of it destined for " several persons in Macclesfield ", imported timber, and household goods. There were chairs and tables for the houses and flower-pots and wheelbarrows for the gardens of the living and gravestones for the cemeteries of the dead. For the chief industry there were pan plate moulds, pan plates, and pans. For Charles Roe & Co. there were copper and calamine. For the early " railways " there were rails and sleepers and oak for making them. For John Stubbs there were spokes, fellies, cart blades, and " treenels ", which suggest that the local wheelwrights were nearer to the modern system of assembling vehicles than to the traditional picture of the craftsman. " Assembled " carts may have secured all the economies of the division of labour, but a cargo of 23 August 1763 threatened to create technological unemployment by replacing man by the machine. On that day John Blackburne entered a shipment which reads like an Elizabethan patent of invention. It weighed three tons and was " a engine to raise brine by runges without

[1] On 2 April 1759 the Commissioners had ordered that the navigation accounts should be closed on the 5 April, instead of 29 September, so that the year's accounts could begin at the same time as the salt officers' books. Henceforward the accounts run from 5 April exclusive to 5 April inclusive. At the same time it was ordered that the clerks should specify each commodity for which tonnage was paid. For this the compiler of statistics must be thankful, for it began the quarterly summaries of tonnage which continued throughout the century. These summaries give the Northwich and Winsford tonnage separately.

the help of man to empty them made in Staffordshire". Whether it ever raised brine is unknown, but it was a typical product of its age.

These miscellaneous commodities which were grouped together as merchants' goods were no doubt important to the grocers and wheelwrights, the joiners and carpenters, and the salt refiners and brass manufacturers who dealt in them, but they did not contribute much to the income of the navigation. That income was derived chiefly from salt and, as the salt output was expanding, the future of the navigation seemed to be assured. There was no other form of transport which could compete with water carriage for such a commodity and the Weaver appeared to have a monopoly of such carriage in the Cheshire salt area. A generation earlier that monopoly appeared unbreakable, but when the Trustees came into office in 1760, the great era of canal building had already begun. The canal which had marked the opening of that era, the Sankey Brook, had helped the coal trade up the Weaver, but its successors appeared as potential rivals, filling the Trustees with alarm and some unnecessary despondency. To the Trustees the Duke of Bridgewater was anything but the hero that Samuel Smiles was later to make him, and though their fears were largely unfounded, they are worth consideration for the light they throw on the rivalry between the older and the newer forms of inland navigation.

CHAPTER VII

"THE STAFFORDSHIRE SCHEMERS"

THE improvement of rivers in the first half of the eighteenth century seriously affected the livelihood of land carriers in the vicinity of such rivers. The building of canals in the second half of the century had a similar effect, but in addition such canals could be, and sometimes were, rivals to existing river navigations. To some extent the old arguments over the relative advantages of land and water carriage were replaced by new arguments over the relative advantages of river and canal transport. Just as in the earlier period the promoters of river improvements had attacked the vested interests of land carriers, so in the later period the promoters of canals sometimes attacked the vested interests of the old river navigations. The arguments that river improvers had used against land carriage, that it was expensive and inadequate, were later directed against themselves. Such arguments had less validity when directed against river transport than they had when directed against road transport, but the promoters of canals were not always too nice in their choice of weapons, any more than the earlier promoters of river improvements had been. It is true that not all canals were rivals to existing river navigations. Some canals were built where no navigable rivers existed, some were built to link up rivers already navigable, but some were built where competition with existing river navigation was inevitable. Where a projected canal threatened to produce such competition, there took place a struggle for power and profits, which recalls the earlier struggle between land and water transport and the later struggle between the canals and the railways. Into such a struggle were drawn the Trustees of the Weaver.

When the Trustees took office the Duke of Bridgewater had already obtained two Acts of Parliament for building a canal from Worsley to Manchester and Salford, with an extension to Longford Bridge. Such a canal could not affect adversely the trade on the Weaver, but in 1761 the Duke proposed to extend this canal from Longford Bridge to the Mersey at Hempstones. This proposal aroused some apprehensions among the Trustees and on 1 October 1761 the Committee ordered Robert Pownall to get what information he could about the intended canal and to consider in what respects it might be prejudicial to the Weaver trade. A month later, on 5 November, Tomkinson, the Duke of Bridgewater's solicitor, attended a meeting of the Committee and assured the Trustees that the Duke had no intention "either by the present plan or any future

scheme " of extending his canal " so near to the Weaver navigation as to be of any prejudice to the trade of that river ". He assured them also that if in the future they thought of bringing their navigation to communicate with the Duke's canal or otherwise to " extend it for the benefit of the publick ", they would have the Duke's assistance in applying to Parliament for that purpose. The Committee immediately wrote to Bridgewater for his " approbation of Mr. Tomkinson's assurances ", but the Duke's reply was non-committal. He was sure that " the alarm which has been taken " had arisen from a misapprehension of his design, which would not prejudice the Weaver navigation, but would be an advantage to it. As a " well wisher to navigation ", he would encourage theirs " whenever any scheme shall be found to improve it, for the public good ".

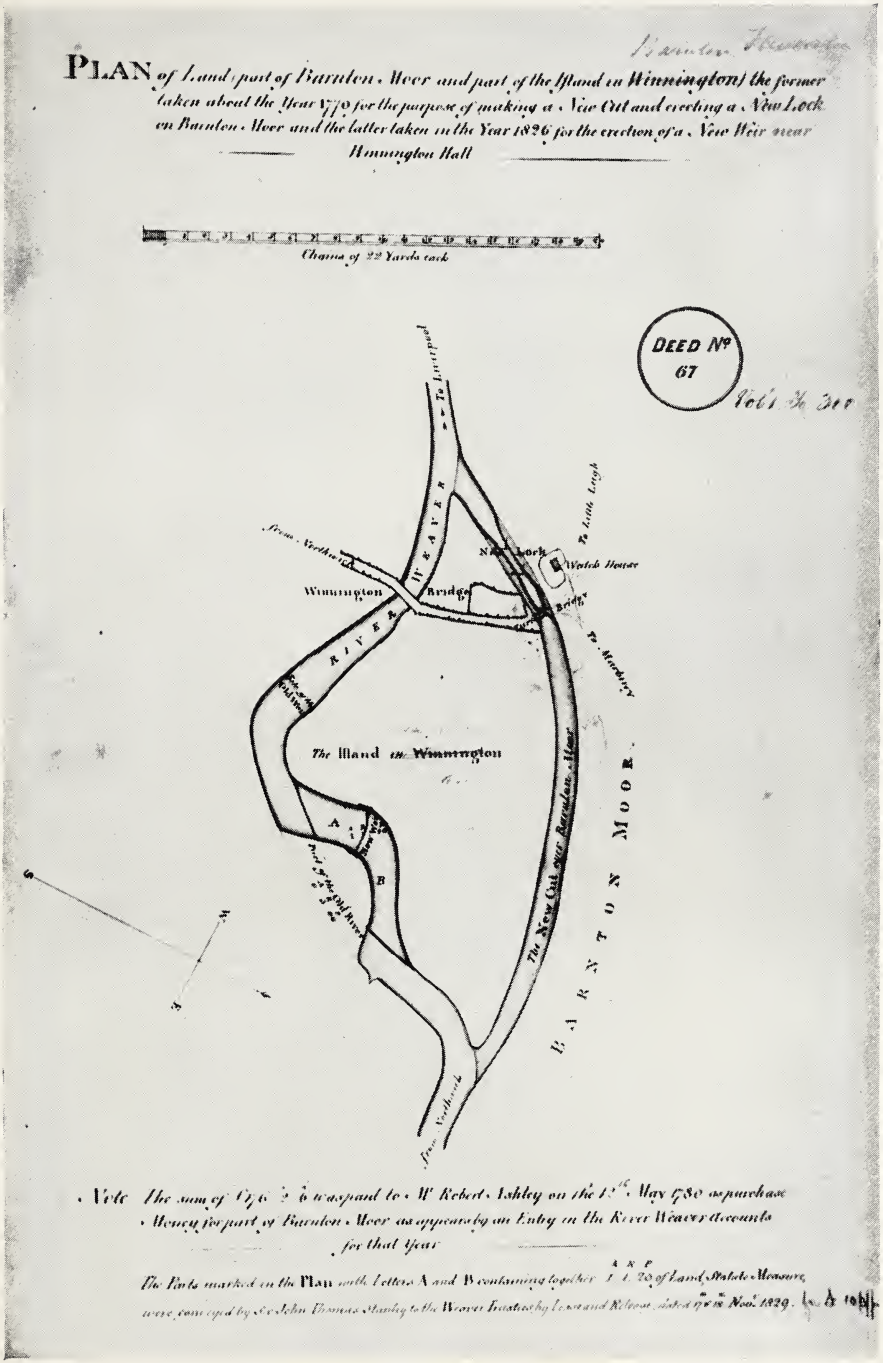
The Trustees accepted the Duke's very modified assurances and offered no opposition to the Bill which he promoted for extending his canal to Hempstones. Individual Trustees, in their private capacity as landowners, opposed the Bill as detrimental to their estates and Sir Peter Warburton petitioned against it as prejudicial to his corn mills on the Bollin, but neither this nor the stronger opposition of the proprietors of the Mersey and Irwell navigation was sufficient to defeat the Bill, which received the royal assent on 24 March 1762.[1] The Trustees seem to have recovered from their earlier alarm at the prospect of what became known as the Bridgewater Canal, for in 1764 they submitted their plan for Witton Brook to James Brindley, the engineer of that canal, whose fame, though not his fortune, was intimately bound up with the Duke's enterprises. Indeed, there was nothing in the original plan of the Bridgewater Canal to cause alarm among the Trustees, for a canal from Longford Bridge to the Mersey at Hempstones would not injure the trade of the Weaver. It was only when that original plan was modified in connexion with the projected canal from the Trent to the Mersey that the Trustees were aroused to active opposition.

The idea of linking the Trent and the Mersey had been put forward in the 'fifties, when Brindley had surveyed the route of the proposed canal between the two rivers, but the project was not actively taken up until early in 1765. Its main supporters were the manufacturers in the Potteries, led by Josiah Wedgwood, and Lord Gower, who was asked to take the project under his protection early in 1765. The proposed canal was to run from Wilden Ferry on the Trent, through the Potteries, and then northwards to either the Weaver or the Mersey. The western termination of the canal was for some time undecided. There were in fact various proposals as to where this western termination should be. The Corporation of Liverpool, which was supporting the project, appar-

[1] *Commons' Journals*, xxix. 106–7, 115, 258.

ently expected the canal to be carried over the Mersey by an aqueduct and so to be brought up to Liverpool itself. Others proposed that the canal should be carried only as far as the Mersey and that it should join the river either directly at some place below Hempstones or indirectly by joining the Bridgewater Canal at Agden, by which it would have access to the river at Hempstones. Finally, others thought the canal should join the Weaver at Winsford or Northwich, by which it could have access to the Mersey. This last proposal was the one which the Weaver Trustees naturally favoured, for it would mean that all the traffic on the western part of the Trent and Mersey Canal would pass either up or down the Weaver. Any of the other proposals would make the western part of the canal a potential rival to the Weaver, for that part was planned to run very close to the river near Northwich. Thus the Trustees tried to ensure that the canal should join their river. In this attempt they were quite naturally opposed by the Duke of Bridgewater, for if the Trent and Mersey Canal joined the Bridgewater Canal, instead of the Weaver, the Duke, and not the Trustees, would control its western outlet.

The Trustees tried to get the proposed canal to join their river partly by putting forward plans of their own as to the course which the canal should take and partly by offering favourable tonnage rates on the Weaver for goods coming from or going to the canal. The matter first came before the Trustees at a meeting of their Committee on 2 May 1765, which was attended by Josiah and Richard Wedgwood. The Wedgwoods produced a plan for a canal from Wilden Ferry to Frodsham Bridge, which meant that the canal would enter that part of the Weaver over which the Trustees had no authority and where they had no right to levy tolls. The Trustees, therefore, in order to induce the Wedgwoods to join the Weaver, ordered Pownall and Hugh Henshall to survey and take levels of the country from Winsford to Lawton by both Middlewich and Nantwich, and from Dutton Bottoms to the nearest part of the Bridgewater Canal, "in order to discover the most convenient places and properest method of making a communication between the river Weaver and the said intended new cutts or canals, and to observe the most proper places to make quays and wharfs". The survey was begun on 6 May and carried out from Harecastle by Lawton to Winsford. An alternate route from Lawton by Middlewich to Northwich was surveyed by the promoters of the canal. A week later, Jonathan Brayne, the Trustees' clerk, and Robert Pownall met some of the canal promoters at Newcastle-under-Lyme, but, as very few were present, nothing was done. A further meeting was held on 27 June, which Brayne attended, but no proposals or offers were made by the canal promoters for joining the Weaver, though Brayne assured them that the Trustees "would be glad to accommodate them and take 'em into the Weaver on very easy


PLAN of Land part of Barnton Moor and part of the Island in Winnington the former taken about the Year 1770 for the purpose of making a New Cut and erecting a New Lock on Barnton Moor and the latter taken in the Year 1826 for the erection of a New Weir near Winnington Hall
Chains of 22 Yards each
DEED Nº 67
To Liverpool
To Little Leigh
From Northwich
Winnington
Bridge
Weaver Locks
Welch House
To Marbury
WEAVER
RIVER
The Island in Winnington
The New Cut over Barnton Moor
BARNTON MOOR
From Northwich
A
B
Note The sum of £36 2 6 was paid to Mr Robert Ashley on the 12th May 1780 as purchase Money for part of Barnton Moor as appears by an Entry in the River Weaver Accounts for that year
The Parts marked in the Plan with Letters A and B containing together 1 A 2 R 20 of Land Statute Measure, were conveyed by Sr John Thomas Stanley to the Weaver Trustees by Lease and Release dated 9th & 10th Novr 1829.

5. The New Cut and Lock at Barnton, 1770

terms ".[1] Despite these rebuffs, the Trustees still believed that the canal might join the Weaver, for the Committee on 3 October 1765 declared that the course of the intended canal was still undecided and ordered Brayne to attend any public meetings about it in order to receive proposals " for their joining or coming into the river Weaver ". By then, however, it was becoming fairly clear that the promoters of the canal had no real intention of joining the Weaver. According to George Heron, the Duke of Bridgewater and Lord Gower had declared publicly that they would have nothing to do with the canal " if it had any connection with the river Weaver ". Heron thought they were " fine times when a duke and a lord shall take upon them to dictate to a whole country ", but he was obviously uneasy and wanted Sir Peter Warburton to " engage on our behalf our best of friends, Lord Strange ".[2] Warburton in his reply hoped that it would prove " a false alarm ". He was unwilling to make " any further personal application to Lord Strange . . . having given him an infinite deal of trouble in this matter already ". Moreover, he was relying on Strange to defend his property in Parliament, which he felt " to be in as much danger from the Duke and these new navigators as the Weaver is ". Warburton thought that if the canal appeared " prejudicial to the security given by the Weaver to her creditors and to the revertion of the tonnage to the county ", then Strange would assist their members " in opposition to such arbitrary and oppressive proceedings ".[3]

Warburton had taken a rather optimistic view of the situation, for by December 1765 it was becoming plain that Heron had not sounded a false alarm. The Trustees, therefore, at a general meeting held on 5 December, decided to support or carry out rival schemes which were obviously intended to force the proposed Trent and Mersey Canal to join the Weaver. There were two such schemes. One scheme was for a canal from Witton Bridge to Knutsford, Mottram St. Andrew, Stockport, and Manchester, with a branch from Mottram St. Andrew to Macclesfield. Though this plan had not originated with the Trustees, they agreed to give it their support. As their opponents pointed out, such a canal would " surround his grace's navigation " and make more difficult any connexion between that navigation and the Trent and Mersey Canal.[4] The other scheme was more grandiose. This was a proposal to build a canal from Winsford by Checkley Brook to Wrinehill. From Wrinehill communication by canal might be established with both the Trent and the Severn. This, as Heron pointed out to Warburton,

[1] " An account of what passed at the meetings at Northwich and Newcastle relating to the Wilden Canal " (Arley MSS.).

[2] George Heron to Sir Peter Warburton, 12 October 1765 (Arley MSS.).

[3] Sir Peter Warburton to George Heron, 13 October 1765 (Arley MSS.).

[4] *The History of Inland Navigations* (2nd ed. 1769), p. 76.

would " open an inland communication between the three great ports of Liverpool, Bristol, and Hull (which is a much more extensive plan for the benefit of trade than any other that has yet been proposed) ". According to Heron's calculation, goods could be carried from Checkley Brook to Liverpool " freight and tonnage included for 6 shillings ", which would be " an alluring charm to the Weilden schemers to come into us there, and save cutting through Harecastle at a great expence ".[1] The Trustees proposed to make the canal from Winsford to Wrinehill themselves, leaving the connexion with the Trent and Severn to be carried out by others willing to undertake the work. Despite Heron's enthusiasm it is not certain that the Trustees were really serious in making this proposal. Subsequent events suggest that the scheme was a piece of bluff, intended to persuade the " Weilden schemers " to join their canal with the Weaver. Such a junction was the real object of the Trustees, for on the same day, 5 December, on which they resolved to build the canal to Wrinehill, they authorized Brayne and Pownall to meet Josiah Wedgwood and his fellow promoters " to know their resolution if they would agree that their intended canal should communicate with the Weaver navigation ". Brayne and Pownall met Wedgwood and four or five others at Newcastle-under-Lyme on the following Sunday evening. They had a " good deal of discourse " and Brayne " acquainted them that the Trustees would admit them into the Weaver at 6*d.* a ton ". Wedgwood replied " that there were but few gentlemen there, that several others were concerned whom he must consult and would then send an answer ". Though " no answer ever came ",[2] the Trustees really received their answer at the meeting of the promoters of the Trent and Mersey Canal held at Wolseley on 30 December 1765.

John Stafford attended the meeting at Wolseley and sent a long and interesting, if somewhat biased, account of it to Samuel Wright of Knutsford.[3] It is clear from this account that " the great schemers of Staffordshire ", as Stafford called them, had decided that the Trent and Mersey Canal should not join the Weaver, but should join the Bridgewater Canal at Agden. This appears to have disappointed the Liverpool representatives at the meeting, who still expected the canal to be carried over the Mersey to Liverpool. It was equally disappointing to the Weaver representatives, who had no opportunity at all of advocating their own scheme of a junction with the Weaver. Stafford regarded the

[1] George Heron to Sir Peter Warburton, 19 December 1765 (Arley MSS.).

[2] " An account of what passed at the meetings at Northwich and Newcastle relating to the Wilden Canal " (Arley MSS.).

[3] John Stafford to Samuel Wright, 3 January 1766 (Arley MSS.). It is interesting to compare Stafford's version of the meeting at Wolseley with the accounts given by the older historians of canals, who failed to realize the feelings of the Weaver and Liverpool representatives (cf. J. Phillips, *The General History of Inland Navigation* (1803 ed.), pp. 165–8).

proposed junction at Agden as the result of pressure from the Duke of Bridgewater, who aimed at becoming " the largest dealer as a carrier in Europe ". He thought " a monopoly in the hands of a peer of the realm, refusing to waive his priviledge " would be " such a monster, as I hope this land of liberty will never suffer to live ". No doubt the Duke was anxious that the proposed canal should join his own, but it would perhaps be wrong to think of the struggle entirely in terms of personal ambition and profit. There was a genuine dispute over the relative merits of rivers and canals as means of communication. The canal advocates pointed out that canal routes were usually shorter than those following meandering rivers, that the absence of currents on a canal was an advantage in the towing of boats, and that there was greater freedom of choice in the location of locks on canals than on rivers.[1] The river advocates, for their part, were inclined to defend, not river navigation in general, but the Weaver in particular. They asserted that there was no need to incur the expense and inconvenience of cutting a canal through parts of Cheshire where a navigable river already existed. The Weaver trade employed 80 to 90 boats of 40 to 50 tons each and such boats could pass from Liverpool to Northwich in nine to ten hours, and from Northwich to Winsford in six hours. They could pass through a lock on the Weaver in five minutes.[2] Similar arguments were put forward by Sir Peter Warburton, who added the point that the Weaver was not so obstructed by floods as canals were by frost. In making this point in a letter to Lord Strange of 10 January 1766 Warburton showed that the indefatigable Brindley had even invented an ice-breaker.

> The Sankey navigation [Warburton wrote] is now frozen up and its navigation was stopped within four or five days after the first frost began and has continued so ever since. The Duke of Bridgewater's Canal (being altogether a dead water) must have been frozen up and stopped sooner had not his excellent engineer, Mr. Brindley, contrived a machine to be drawn by mules to break the ice and kept a vessel constantly going backwards and forwards to keep the passage open, which, though it may be done for the extent the Duke's canal is yet gone, the labour and expence of doing so from Wielden Ferry to the Hempstones would be so great that no private set of undertakers would be able to support it.[3]

Whatever were the relative merits of carriage by river and canal, the " Staffordshire schemers " had clearly determined to avoid the Weaver. They were equally determined to defeat any opposition to their plans that the Trustees could make. Thus on 7 January 1766 Josiah Wedgwood wrote to Thomas Bentley:

[1] *A View of the Advantages of Inland Navigations* (2nd ed. 1766).

[2] *Seasonable consideration on a navigable canal intended to be cut from the River Trent, at Wilden Ferry, in the county of Derby, to the River Mersey, in the county of Chester*, n.d. 1766 ?

[3] Sir Peter Warburton to Lord Strange, 10 January 1766 (Arley MSS.).

We must next battle the two river navigations.[1] The Weaver will die hardest. I should think your friend in Liverpool might collect facts—enough relative to this navigation—which will be the best weapons to battle it with. Mr. Colquit and you must handle these weapons when you get to London—Pray mention the subject to him before he goes—Delays in merchandize to and from Liverpool. Salt in particular—Mismanagement of Commissioners—spending money in order to enlarge the debt—with a long &c.[2]

No doubt the "long &c." was meant to cover a multitude of unspecified sins, but, had Bentley's friends collected the facts, they would have presented a picture of the Weaver rather different from Wedgwood's version, which was merely a *pièce justificative* in a declaration of war. Wedgwood's attitude showed that there was to be no compromise between the "Staffordshire schemers" and the Trustees. The latter were now called upon to show whether their rival schemes were to be taken seriously or not. The fate of those schemes suggests that the Trustees had been bluffing and that their bluff had been called. Thus when the Trustees met at Northwich on 15 January 1766, they proceeded to abandon the schemes which they had agreed to support or carry out at their meeting on 5 December 1765. The project for a canal from Witton Bridge to Macclesfield and Manchester, which they had agreed to support, was not mentioned at the meeting, though on that very day a petition was presented to the House of Commons for leave to bring in a Bill for the construction of the canal. Nor, when leave had been given, did the Trustees petition in favour of the Bill, which passed the Commons [3] and was defeated in the Lords.[4]

The other scheme which the Trustees had toyed with in the previous December, namely of building a canal from Winsford to Wrinehill to serve as a link in the connexion of the Severn, Trent, and Mersey, suffered a similar fate. When the Trustees met on 15 January they were faced with a number of cogent arguments against their participation in this scheme. It was pointed out that a canal from Winsford to Wrinehill would probably cost £30,000, that they had no funds available to meet this expense, and that such a canal would not pay unless, and until, it

[1] I.e. the Weaver navigation and the Trent navigation between Burton-on-Trent and Wilden Ferry. The struggle at the western end of the proposed canal between the Trustees and the promoters had its counterpart at the eastern end in the struggle between the lessees of the Trent navigation from Burton to Wilden and the canal promoters. The canal was planned to join the Trent at Wilden and not at Burton, because the navigation of the river between those places was said to be inadequate and to be a "monopoly in the hands of a few persons", who had injured the trade by their carelessness and oppressed it by exactions (*Commons' Journals*, xxx. 720–1).

[2] E. Meteyard, *The Life of Josiah Wedgwood*, i. 431. Meteyard's account of the struggle between the Trustees and the canal promoters is strongly biased in favour of the latter, and is sometimes inaccurate.

[3] *Commons' Journals*, xxx. 453, 522–3, 605, 618, 686, 693–4, 701.

[4] *Lords' Journals*, xxxi. 353.

was linked up with the Trent and the Severn. Moreover, even if they could borrow the necessary money on the security of the Weaver, that would increase the debt on the river and so delay the reversion of the profits to the county. On the other hand, if the canal were connected with the Trent and Severn and earned very high profits for the Weaver, then other counties, through which the connecting canals ran, would either demand a share in the reversion or a reduction of the tonnage dues. If they did not make such demands, the profits would accumulate until Parliament ordered an enquiry which might endanger the reversion "and lay the river open to the publick". These arguments, which appear to have been drawn up by Sir Peter Warburton,[1] were irrefutable. The Trustees therefore decided merely to encourage any promoters who wished to build the canal to Wrinehill by handing over to them the surveys already made and by promising "to admit all goods on this or any other navigation hereafter to be made, that may communicate with the river Weaver betwixt Winsford Bridge and Frodsham, at six pence tonnage for each ton". The canal was never in fact made.[2]

The Trustees had abandoned their rival schemes, but they had not abandoned their general opposition to the proposed Trent and Mersey Canal. The petition for leave to bring in a Bill for that canal was presented on 15 January 1766 and on the same day the Trustees appointed D. Dunning as their counsel to attend Parliament to defend the interests of the Weaver. John Stafford was appointed solicitor to give instructions to Dunning, and Golborne and Pownall were ordered to attend in London to give evidence on the state of the Weaver. It was later learnt that Dunning was the Duke of Bridgewater's counsel and so it is hardly surprising that the Trustees dispensed with his services and asked him to return the five-guinea retainer they had paid him. It was returned three years later. It is not clear who succeeded Dunning as counsel for the Trustees, but it may have been Henry Legh. In addition, Samuel Wright of Knutsford was to assist Stafford, and William Turner, who was employed by Warrington to oppose the Bill, was also to be "employed as sollicitor for the Trustees of the river Weaver in opposing such parts of the said Bill which may tend to the prejudice of the trade and navigation of the river Weaver". This legal team had a difficult task, though it is unlikely that they hoped to bring about the defeat of the Bill. Their purpose was rather to prevent the water and the trade of the Weaver from being diverted to the proposed canal.

The Bill for a canal from Wilden Ferry to the Mersey was presented

[1] George Legh to Sir Peter Warburton, 14 January 1766 (Arley MSS.).

[2] On 13 February 1766 a petition was presented to the Commons for leave to bring in a Bill for a canal from Tern Bridge in Shropshire to the Weaver at Winsford. The petition was referred to a committee, but nothing more was heard of it and no Bill was introduced (*Commons' Journals*, xxx. 541, 550, 575).

on 18 February 1766 and was given a second reading on the 24th, when it was referred to a Committee whose chairman was Thomas Gilbert, Lord Gower's agent.[1] The Bill was still vague as to the point where the canal should join the Mersey, but on 12 March the Duke of Bridgewater petitioned for power to alter the course of the Bridgewater Canal so that it should run to Preston Brook and Runcorn Gap instead of to Hempstones. At Preston Brook it was to be joined by the canal from Wilden Ferry, which would thus have an outlet to the Mersey only along part of the Bridgewater Canal.[2] This petition confirmed the Trustees in their earlier view of the Machiavellian character of the Duke, who had not only helped to prevent the Trent and Mersey Canal from joining the Weaver, but was now proposing to divert his own canal to intercept it. The time was clearly past for hoping for any junction between the proposed canal and the Weaver. Thus when the Trustees and several of the subscribers petitioned the Commons on 10 April 1766, it was on the general grounds that the Trent and Mersey Canal would be prejudicial to the Weaver " by diverting the water from the same river, for the supply of the said intended canal, and the tonnage of the said river will thereby, and otherwise, be greatly lessened, and consequently the security for the money, now owing on mortgages of the said tonnage, will be rendered precarious ". They prayed, therefore, that provision should be made in the Bill to prevent the diversion of water from the Weaver and to prevent the navigation and tonnage of the river from being prejudiced. The petition was referred to the Committee which heard counsel on behalf of the Trustees on 15 and 16 April. It does not seem that counsel was able to influence materially the form of the Bill, which passed its third reading on 21 April, went through the Lords without amendment, and received the royal assent on 14 May 1766.[3]

The Act [4] for making a navigable cut or canal from the river Trent, at or near Wilden Ferry, to the river Mersey, at or near Runcorn Gap, represented a defeat for the Trustees. They had failed to make the Weaver the western outlet of the canal, which was to join " the Duke " at Preston Brook. Moreover, the canal was to follow a route which would enable it to tap the Middlewich trade and to approach very near to the Weaver at Anderton. There were no safeguards in the Act to prevent the tonnage of the Weaver from being prejudiced by the canal. It is not clear how such safeguards could have been devised, or indeed what the Trustees really meant by them, unless they meant that the tonnage of the Weaver should be safeguarded by making the river the western outlet of the canal. The Act made such an outlet impossible, but it did do something to protect the navigation of the river. By its terms the canal proprietors were forbidden to take " any water out of

[1] *Commons' Journals*, xxx. 588, 600.
[2] Ibid., p. 649.
[3] Ibid., pp. 713–14, 733, 737, 748, 788, 820.
[4] 6 Geo. III, c. 96.

or from the river Weaver . . . or out of the river Dane, or the brook called Wincham Brook, or Peover Eye, or the brook called Wade Brook ".[1] The canal itself was not to cross the Weaver or to pass through any land lying between the Weaver and Witton Bridge, or between Witton Bridge and Wincham Mill. It was to be built along the north side of Witton Common and was to pass north of the salt works at Anderton.[2] Despite these provisions it was clear that the Trustees had failed to achieve their main purpose. Indeed, their opposition in Parliament seems to have been largely ineffectual. It had also been expensive, for the legal costs amounted to £291 4*s*. 10*d*.,[3] so that the lawyers as usual could find some solace even in defeat.

[1] Ibid., sec. 59.

[2] Ibid., sec. 60.

[3] The individual bills were: John Stafford, £48 10*s*. 4*d*.; Samuel Wright, £29 3*s*.; Henry Legh, £54 1*s*.; William Turner, £159 10*s*. 6*d*.

CHAPTER VIII

THE LIQUIDATION OF THE DEBT

THE promotion of the Trent and Mersey Canal had aroused the fears of the Weaver Trustees, who regarded the canal as a possible competitor with the Weaver. Such competition could not, however, be immediately effective, for the canal would obviously take many years to construct. Thus, even if the Trustees were correct in their assessment of the competitive rôle of the canal, they still had a breathing space in which to prepare to meet that competition. They could no longer rely on maintaining a monopoly of water transport in the entire area which the river had hitherto served, but they could try to retain and expand the trade of the river by making its navigation as cheap and efficient as possible. The expanding salt industry gave them an increasing revenue from tonnage dues, which could be devoted to completing the improvements begun under the Act of 1760. When those improvements had been carried out, it would be possible to use at least part of the revenue for reducing the debt on the river, which would bring a corresponding reduction in interest charges. Such measures were necessary not only to meet possible competition from the Trent and Mersey Canal, but also to meet the situation which would arise in 1775, when, under the Act of 1760, the maximum rates of tonnage had to be reduced from 1*s.* 3*d.* to 1*s.* Thus, the Trustees had every incentive to use their time and opportunities to strengthen the position of the Weaver as a means of communication, especially as they could not accurately foretell the effects of future canal building on the fortunes of their trust.

Even before the passing of the Act for the Trent and Mersey Canal, the Trustees had considered a scheme for improving the carriage of goods on the Weaver. On 5 December 1765 they had ordered Robert Pownall to " build or purchase two or three flatts to be employed on the river to accommodate the trade at the rate of two shillings a ton for all heavy goods from Liverpool to Northwich ". No action seems to have been taken as a result of this order, but on 15 January 1766 it was proposed to the Trustees that, instead of extending the navigation by building a canal to Wrinehill, it would be more prudent to improve the existing navigation. Two proposals for such improvement were made. The first was that the Trustees should build flats and act as carriers. This would impose a check on the existing flat owners, who were said to be abusing their position, and would give the Trustees the profits of carriage, which might amount to more than any loss the navigation would sustain

from the building of the Trent and Mersey Canal. The second proposal was that the Trustees should acquire one or more rock- or brine-salt pits, "whereby they may have the salt made and cured as it ought to be (which it is not now) and compel the proprietors in Northwich to do the like". By this means they might "restore the credit of the salt trade, and recover the Hamburgh and Ostend trade, and serve their own country with better salt". Neither of these proposals was adopted, but almost a year later the Trustees seriously considered embarking upon a career as carriers.

There was no clause in the Weaver Act of 1760 which either empowered the Trustees to run boats on the river or forbade them to do so. They were, however, clearly uncertain of their legal position in this matter, for on 6 December 1766 they drew up a case for submission to counsel.[1] This stated that the navigation was capable of further improvement if the trade of the river were put under proper regulations and if public wharves and warehouses were built and flats provided by the Trustees. There were no wharves, warehouses, or boats except those belonging to private persons, who had "greatly abused and imposed on the publick by delays and excess of charges for freightage, wharfage, and warehouse room". Hitherto the salt proprietors at Northwich and Winsford had been the chief carriers upon the river and "the freightage not being limited", they and the owners of flats had "exacted whatever they thought fit for freight, wharfage, and warehouse room", which had been "so very advantageous" that many of them had "attended to the benefit arising from thence, more than to the profit from the sale of their salt". If the Trustees were to build wharves, warehouses, and boats it would cost a great deal of money, which would retard repayment of the debt and so delay the reversion of the profits to the county. They therefore asked counsel's opinion on two questions. Were the Trustees empowered out of the money arising from tonnage to buy lands and to erect wharves and warehouses for the use of the navigation and to make a reasonable charge for the use of such wharves and warehouses? Could the Trustees, with the consent of the creditors and of the majority of the landowners of the county, purchase flats or other boats and employ them in the trade of the river, so that they would be a check upon the private owners of flats, who imposed upon the public?

R. Wilbraham,[2] who gave his opinion on 27 December 1766, thought that the Trustees could build wharves and warehouses, but they had no power to set up "the business of bargemen for the carrying and recarrying of goods up and down the river", for no such power was given to them by the Act of 1760. J. Skinner, who gave his opinion a fortnight later, agreed that the Trustees could build wharves and warehouses. He

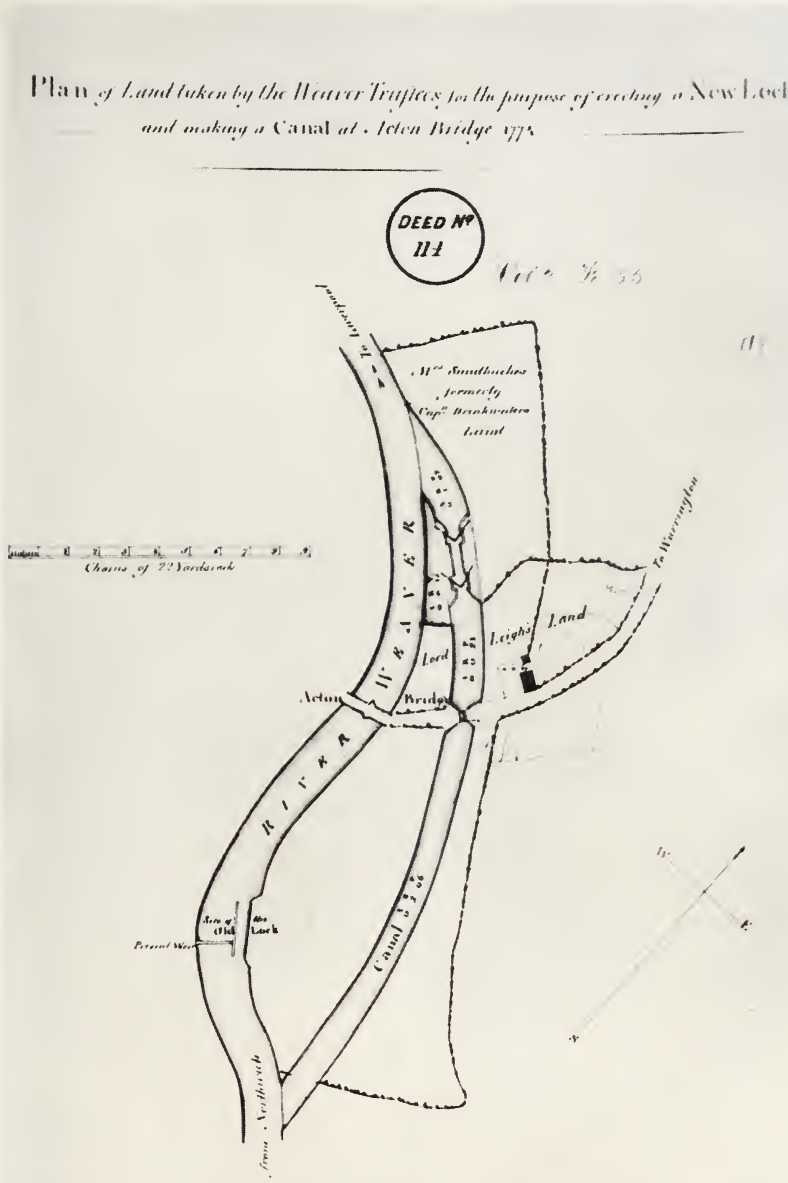
[1] "Case of the Trustees of the River Weaver navigation" (Arley MSS.).

[2] Presumably Randle Wilbraham, a well-known counsel of the day.

thought that they were not empowered to apply any of their trust money to buying boats, but if they did so with the consent of the creditors and of the general body of landowners in the county, they were not likely to be called to account for it, nor would they be in any great danger if they were so called to account. He reminded the Trustees, however, that the consent of the creditors and the landowners could not "give them any powers which the Act of Parliament hath not invested them with". The Trustees decided on 5 February 1767 that these opinions were sufficiently favourable on the question of building wharves and warehouses for them to proceed. They therefore ordered Pownall to apply to Lord Derby for a lease of a piece of land in Northwich, upon which the old court house had stood, and of some vacant land adjoining it. This decision, which had been taken by the Committee of the Trustees, was reversed at the annual meeting on 2 July 1767. Then the Trustees decided that a lease of the land in Northwich was not consistent with their powers. They claimed that this was the view of Wilbraham and Skinner, which suggests that counsel had given a second and more unfavourable opinion of the case. The Trustees seem still to have been doubtful of their legal position, for they submitted their case for yet another opinion. This was given on 20 August 1767 by C. Yorke, who thought that the Trustees had power to build wharves and warehouses and to buy boats, though for the latter they needed the consent of the creditors and the approval of the justices of the peace at the Michaelmas quarter sessions. Despite this favourable opinion,[1] the Trustees did not proceed with this method of improving the navigation.

There were other ways of improving the navigation which did not present such legal difficulties, for the Trustees had still to complete their programme of repairing old locks and building new ones in order to bring the navigation up to the standard required by the Act of 1760. Thus between 1766 and 1776 the Trustees spent an average of £1061 p.a. on repairing the works on the river. These works were now subject to a new danger, for on 4 May 1775 Pownall reported to the Committee that the banks of the Trent and Mersey Canal, where it ran parallel with the Weaver near Barnton, had broken and slipped into the river near Saltersford Lock, causing a stoppage of traffic for two days. The banks had also broken down at Bartington and a great quantity of sand had been washed into the river. These breaches, however, had caused no material damage because of the depth of the Weaver and because of the prompt assistance given by the workmen employed on the canal in removing the obstructions caused by the "slips". The Committee therefore decided not to trouble the proprietors of the canal, but they ordered Pownall to pay particular attention to such works as might obstruct the Weaver and to give notice to the engineer employed on the canal at the least apprehen-

[1] "Case of the Trustees of the River Weaver navigation" (Arley MSS.).


Plan of Land taken by the Weaver Trustees for the purpose of erecting a New Lock and making a Canal at Acton Bridge 1774
DEED Nº 114
Mrs Smethurches formerly Capt Brankwaters Land
To Warrington
Leighs Land
Lord
Acton Bridge
RIVER
Chains of 22 Yards each
Canal 3 Yards
Old Lock
New Lock
Present Weir
from Nantwich

Note It appears by an Entry made in the Weaver Annual Account Book dated 6th September 1776 that Mr South Walsall was paid the Sum of £160 16s 8d per the Value of the Land used in making the Canal at Acton Bridge and that by an Entry in the same Book dated 5th June 1778 Mr Nathaniel Pemberton was paid the Sum of £15 0 0 per purchase of the Land at Acton whereon the New Lock is erected. The Quantities inserted in the Plan are Cheshire Measure

6. The New Cut and Lock at Acton Bridge, 1774

sion of danger. In November 1775 Pownall again reported that the canal had " lately broken down and greatly impeded the river Weaver ". He was ordered to apply to the agent of the canal to remove the obstruction. It was presumably removed, for nothing more was heard of the matter.

Apart from repairs, the Trustees carried out two new works of importance during this period. The first of these was a lock and cut at Barnton, which were made during the years 1768 to 1771 at a cost of £5308. This work seems to have involved more than the usual disturbance to property, for in 1769 the Trustees bought the " little meadow " in Barnton, adjoining the lock, from John Gresty for £280. In the following May they ordered the land on both sides of the lock to be levelled and sown with grass and clover seeds. Later, in 1772, they sold the meadow, which was then said to comprise 1 acre 2 roods 16 perches Cheshire measure,[1] to Richard Pennant for £183 13*s*. A grant to John Pointon in 1773 of two guineas for damage to a meadow in his holding at Barnton, may have been compensation to Gresty's tenant. The works at Barnton also damaged land on Barnton Moor, for on 3 October 1771 the Committee agreed that Samuel Johnson, acting for the township of Barnton, and Richard Brooke, acting for the Trustees, should view and value this damage. If they could not agree in assessing the damage, they were to appoint a third person whose decision was to be final. Johnson and Brooke agreed that 3 acres 2 roods 8 perches Cheshire measure had been damaged and valued the land at £2 15*s*. per Cheshire acre p.a. The Committee accepted this valuation and ordered that three years' damages, amounting to £29 5*s*. 9*d*., should be paid to John Swinton, overseer of the poor of the township of Barnton, and that a third of this sum should be paid every year to the overseer of the poor for the time being. The second major work which the Trustees carried out was a new lock and cut at Acton Bridge. These were made during the years 1773 to 1778 at a cost of £4857, which included £108 18*s*. 4*d*. for the land for the cut. The works at Barnton and Acton Bridge were carried out under Pownall's supervision and for each of them he was voted 30 guineas " for his extraordinary trouble and attendance ".

All this improvement of the works on the river by repairing and rebuilding seems to have led to a greater effort to protect the works from damage by the flatmen. Not all the locks, apparently, had lock-keepers, but in 1762 there were such keepers at Saltersford, Acton Bridge, and Winnington. One at least of these keepers had a house provided for him, for on 2 December 1762 the Committee moved Thomas Dean, the keeper at Saltersford Lock, to Acton Bridge and erected " a small piece of building . . . for him there to reside in ". Eighteen months later Ralph Higginson was appointed to attend at Witton Brook Lock at a wage of 6*s*. a week. His duties included preventing inconveniences caused by

[1] The Cheshire acre was equal to $2\frac{1}{10}$ statute acres.

flatmen drawing the clows and paddles of the lock. The appointment of lock-keepers and the provision of houses for them were gradually extended. On 6 September 1770 Robert Pownall reported to the Committee that it would be an advantage if someone were appointed to look after Hartford, Hunts, and Northwich Locks and if a small dwelling-house were built for such a person in the timber yard at Castle Northwich. The Committee hesitated about building a house as they had only a lease of the timber yard, but a month later they agreed to do so. The house must have been built during the winter, for on 7 February 1771 William Heywood of Northwich was appointed to survey and take care of Hunts and Northwich Locks and to reside in the new house lately erected in the timber yard. His wage was 6*s*. a week. Three months later Pownall reported to the Committee that a proper person should be appointed to look after Saltersford Lock "in order to prevent the bargemen from damaging and prejudicing the gates of the said lock". He was ordered to erect a small dwelling-house and to appoint such a person. It is not certain whom Pownall appointed, but it may have been David Alcock, labourer, of Witton, for on 2 September 1772 the Committee, declaring that Alcock had "been employed a long time in the service of the navigation" and was "now much disabled", recommended him "as a proper person to overlook and take care of the locks on the river when a vacancy shall happen". If Alcock were appointed at Saltersford, he did not hold the position for very long, for in 1776 Catherine Boyer was the lock-keeper there at a wage of 3*s*. 6*d*. a week.[1] She was not the only woman lock-keeper. In April 1775 Mrs. Anne Warriner had succeeded Ralph Higginson as lock-keeper at Witton Brook Lock. She had the same wage of 6*s*. a week as her predecessor and was to have a house built for her "on the usual plan".[2] By then the new houses for the lock-keepers had clearly become standardized, but it is not possible to tell how big they were or how much they cost.[3]

The employment of additional lock-keepers and the erection of houses for them no doubt constituted a very small item in the Trustees'

[1] On 4 September 1788 Catherine, who had gone to live in Wales, was ordered to return and reside in the lock-house. If she refused she was to lose her job, for she was not "permitted to transact the business by deputy". She did refuse and a month later Robert Mann was appointed in her place.

[2] On 7 July 1785 Ellen Allen was appointed lock-keeper at Witton Brook Lock in place of Anne Warriner, deceased. Three years later Elizabeth Whittingham was appointed lock-keeper at Acton Bridge Lock in place of Ann Whittingham, deceased.

[3] On 7 March 1782 the tenants of the lock-houses were ordered to keep their glass windows in repair. On 5 October 1786 the lock-keepers "applied for their Window Tax to be allowed them" and the Committee ordered John Johnson to "survey such houses and report to the next meeting what windows belonging to such houses can with propriety be stop'd up". There is no record of Johnson's report.

expenditure, but in at least one direction costs were rising in the 'seventies. On 7 May 1772 the Committee received an application from the carpenters and labourers employed on the river " for their wages to be enhanced ". This request was considered to be reasonable, especially as " the wages of workmen in general " had been " of late raised ", and the Committee therefore agreed to increase wages by 2*d.* a day " during pleasure ". Unfortunately the actual wages are nowhere stated, but in July 1774 Robert Moores, the master carpenter employed on the navigation, had his wages raised to 2*s.* a day. No corresponding increase seems to have been made in the salaries of the administrative staff. On the death of Jonathan Brayne in 1767 his place as treasurer and clerk was taken by his son Thomas Ives Brayne at the same salary of £50 p.a. Eleven years later Brayne was given the additional post of collector of tonnage, for which he received £50 p.a. This post had been held by Pownall who resigned it because of ill-health. Pownall remained inspector and manager of the works at £100 p.a. " in consideration of his long services and faithful discharge of his duty ". When those long services came to an end with Pownall's death in 1780, the post of inspector and manager was given to John Johnson, but still at the same salary of £100 p.a.

It would be interesting to know whether the rise in some labour costs was accompanied by a rise in the price which the Trustees had to pay for land. Unfortunately there is not a great deal of evidence on this point. On 2 July 1767 the Trustees resolved that the price paid for land should not exceed thirty years' purchase. This was a confirmation of existing practice, for they seem always to have bought land at thirty times its annual value. Thus in 1764 land was bought both for the Witton Common road and for a lock at £4 per acre p.a. and thirty years' purchase. As the acre used was the Cheshire acre, the land was valued at about £1 18*s.* per statute acre p.a. Ten years later the Trustees bought land in Little Leigh which was valued at £6 per Cheshire acre p.a., or about £2 17*s.* 1*d.* per statute acre p.a. If this were agricultural land, the value appears to be high, for a few years before Arthur Young had found that land between Dunham and Knutsford let for £1 to £1 15*s.* an acre and around Holmes Chapel for an average of only £1 an acre.[1] In 1782 the Trustees were buying land in Dutton which was valued at £6 10*s.* per Cheshire acre p.a., or about £3 1*s.* per statute acre p.a. Two years later they paid £422 18*s.* 1*d.* for land near Frodsham weir, which was apparently valued at the same rate. These figures suggest that there was some increase in the price paid for land in the late 'seventies. On the other hand, it is almost certain that the Trustees paid inflated prices for the land which they needed for the navigation. This is suggested partly by the very large sums paid for land and partly by the absence of dis-

[1] A. Young, *A Six Months' Tour through the North of England* (1771), iii. 242, 248.

putes over its valuation. Thus in 1779 the Trustees paid no less than £1330 14*s.* 3*d.* for the land for the new cut and lock above Frodsham Bridge. The area of this land was only about 14 acres 1 rood 28 perches statute measure. Such large payments were not disputed, presumably because the sellers were satisfied with the price they asked and got for their land and because the Trustees were reluctant to challenge such prices, for that might involve arbitration by the Land Tax Commissioners for Lancashire. It is perhaps significant that such arbitration was never invoked.

During this period, while some costs were rising and while expenditure on repairs and new works was fairly heavy, the tonnage rates on certain commodities were reduced, partly by the voluntary action of the Trustees and partly by the operation of the Act of 1760. On 13 August 1767 the Trustees reduced the rates for paving stones and materials for the repair of public roads from 10*d.* to 2*d.* a ton. They gave as their reasons for this reduction the fact that materials for repairing roads were rarely carried on the river because of the tonnage charged and that the profits of the navigation were ultimately to go to repairing roads. In December 1767 they similarly reduced the tonnage on limestone from 10*d.* to 2*d.* They pointed out that manure was carried free on the river and that limestone, when burnt, was used as a manure, but the present tonnage rate was so high that little limestone was carried on the river. This reduction was only to operate for two years, but it was in fact continued after that period had expired. It is difficult to tell whether these reductions had much effect on the carriage of road materials. The quantity of paving stones carried on the river actually fell from 216 tons p.a. in the five years before April 1767 to 89 tons p.a. in the five years after April 1768. In the case of limestone the reduction of the tonnage rate was certainly followed by an increase in the amount carried. During the five years before April 1767 only 137 tons p.a. had been carried on the river, but in the five years after April 1768 the amount had risen to 364 tons p.a. In 1769 the Trustees extended the 2*d.* tonnage rate to burr stones which were to be used in supporting the banks of the river. This was reaffirmed in 1775, but as the Trustees themselves were the chief users of such stones, they largely stood to gain from obtaining the stones more cheaply what they lost from the reduced tonnage rate. While the Trustees were free to reduce the tonnage rates below the maximum fixed by the Act of 1760, they were not free to alter the tonnage equivalents imposed by that Act. Thus on 2 June 1768 Richard Kent of Liverpool claimed that he sent up the river annually 4000 tons of flint and clay, both of which lost 1 cwt. in every ton on delivery. He therefore asked that clay might be reckoned at 21 cwt. to the ton, as flint was, but this was refused by the Committee as contrary to the Act of 1760, which had defined a ton of clay as 20 cwt., each of 120 lb.

The reductions in tonnage rates made by the Trustees were not very extensive or important, but the Act of 1760 had stipulated that fifteen years after Michaelmas 1760 no greater duty should be taken than 1*s.* a ton. This meant that after Michaelmas 1775 the maximum duty of 1*s.* 3*d.* a ton, which had applied chiefly to salt and merchants' goods, had to be reduced to 1*s.* a ton. The reduction was duly made and caused a considerable loss of revenue. Thus in the last full year of the old tonnage dues, from April 1774 to April 1775, 122,068 tons 17 cwt. were carried on the river and paid £7090 0*s.* 6*d.* in dues. In the first full year of the new tonnage dues, from April 1776 to April 1777, 110,038 tons 17 cwt. were carried and paid only £5430 1*s.* 4*d.* In view of this it is hardly surprising that the Trustees resisted requests for further reductions in tonnage dues. Such requests were made in 1777 by the mayor of Liverpool and the president of the chamber of commerce there. In their reply of 2 October 1777 the Trustees declared that they would " always be obliged to the mayor of Liverpool and the president of the chamber of commerce for their respectable advice and assistance ", but after maturely considering their request, they could not " perceive any justifiable reason for reducing the tonnage of the river Weaver ".

Despite the reduction of some tonnage rates, the tonnage revenue of the navigation averaged £6171 p.a. during the 'seventies, which was an increase of 35 per cent over the previous decade. The annual expenses during the 'seventies were only £4359 so that there was a considerable margin of revenue over expenditure which could be used for the liquidation of the debt. This was particularly the case between 1770 and 1777 when the tonnage revenue was £6734 p.a. and the expenses were only £3478 p.a. As early as 1763 the Trustees had repaid £200, which had been borrowed from Mrs. Martha Stubbs, but they did not begin the systematic repayment of the debt until two years later, when £1000 was repaid to Mrs. Jane Shakerley. By 1767 a balance was accumulating in the treasurer's hands and the Trustees decided that, when the treasurer had £500 more than was needed for current expenses, it should be deposited with John Hincks, a Chester banker, who would pay 2 per cent on it. £500 was duly deposited with Hincks, but it was withdrawn early in October 1768 together with interest for nine months and fourteen days amounting to £7 17*s.* 8*d.* No further deposits seem to have been made. When a balance accumulated in the treasurer's hands, it was used to repay those subscribers who had been given twelve months' notice of such repayment. These repayments were not large in the late 'sixties for the debt, which was £25,470 in 1765, had only been reduced to £21,000 by 1770. During the 'seventies the rate of repayment increased for the process was cumulative. Each repayment reduced the interest charges of the debt and so lessened one of the main items in the annual expenditure of the navigation and made more of the revenue available for debt reduction.

Between 1770 and 1775 the debt was reduced at the rate of £3500 p.a. and in July 1775 the last of the subscribers were repaid.

The liquidation of the debt meant that the clear profits of the navigation had in future to go to the county, under the terms of the Acts of 1721 and 1760. Thus on 4 September 1777 the Committee ordered their treasurer to pay Charles Potts, treasurer of the county, £1000 at the next general quarter sessions, £500 before the Christmas quarter sessions, £500 before the Easter quarter sessions, and £500 before the following Midsummer quarter sessions. A further grant of £2000 was made in 1778, so that by 1779 £4500 had been paid over to the county. The money was used, as the Acts had stipulated, for the repair of bridges in the county.[1] Thus more than half a century after the Act of 1721, which had first provided for the profits of the navigation to go to the county, and more than a quarter of a century after the Act of 1760, which had safeguarded that provision, the reversion, about which there had been so much controversy, had at last come into operation.

The reversion would not have come into operation, for the debt would not have been liquidated, had it not been for the great expansion of trade on the Weaver during the decade after 1766. In that period the trade rose steadily to a peak of 133,804 tons 18 cwt. in the year from April 1772 to April 1773, a figure which was not again to be reached for another decade. This exceptional volume of trade, for which there seems to be no obvious explanation, represented an increase of about 74 per cent on the figure for 1762–3. Of the total, 118,905 tons 11 cwt. comprised the Northwich and 14,899 tons 7 cwt. the Winsford trade. The Northwich trade included 38,993 tons 21 bushels white salt, 38,585 tons 8 bushels rock salt, 33,080 tons 9 cwt. coal, 3206 tons 11 cwt. merchants' goods, 2504 tons 4 cwt. bricks, 721 tons limestone, 673 tons 14 cwt. pipe clay, 485 tons burr stones, and 252 tons 9 cwt. slates. As usual the Winsford trade was less dominated by salt and coal, of which the former amounted to 4324 tons 6 bushels and the latter to 2206 tons 10 cwt. The other cargoes included 4103 tons 1 cwt. pipe clay, 3291 tons 6 cwt. merchants' goods, 424 tons 2 cwt. pig metal, 267 tons 16 cwt. slates, and 147 tons 9 cwt. flintstones. Taking the river trade as a whole, salt accounted for 61 per cent and coal for 26 per cent of the total. The remainder comprised raw materials, building materials, and merchants' goods, which differed little from those of ten years before.

Though the volume of trade achieved in 1772–3 was not maintained, the Trustees could regard the decade after 1766 with some satisfaction. They had employed their breathing space to continue the repairs and rebuilding of the works on the river which the Act of 1760 made necessary and they had done this without recourse to borrowing. They had reduced

[1] Quarter Sessions Minutes, 24*a*, 7 Oct. 1777, 8 Nov. 1777, 25*a*, 6 Oct. 1778 (County Record Office, Chester).

some tonnage rates of their own free will and had put in operation the compulsory reductions of 1775 without apparently endangering the financial position of their trust. Finally, they had liquidated the debt and so made possible the reversion of the clear profits to the county. No doubt these were solid achievements, but were they solid enough and were they the right sort of achievements? It seems clear that more might have been done both to improve the river itself and to strengthen its connexions with those areas to the east of it, which would soon be able to choose whether they would use the Weaver or the Trent and Mersey Canal as their means of water transport. The supporters of the Trent and Mersey Canal had always pointed out that the navigation of the Weaver was obstructed near the river's mouth "by floods, neap or low tides", which rendered "the carriage upon it very uncertain and precarious".[1] Though this was exaggerated, there was some truth in it, and yet nothing had been done to remedy these defects. Nor had anything been done to remedy the alleged abuses caused by the wharves and warehouses being in private hands. Under the Act of 1760 the Trustees had power to build quays and warehouses "for the purposes of making and preserving the navigation only". The exact meaning of this was certainly not clear, but later in the century the Trustees interpreted it as giving them full powers to build and operate quays and warehouses, and that interpretation was never challenged. Again, apart from the Witton Common road, nothing had been done to improve the roads leading to the river except by the very indirect method of reducing the tonnage rates on road-building material. It is true that counsel had given a very restricted interpretation of the clause in the Act of 1760 dealing with the Witton Common road, but that did not prevent the Trustees from later undertaking road repairs.

The obstacles to carrying out improvements along these lines probably arose not from legal difficulties, but from the character of the body of Trustees and from the nature of their trust. Such improvements would have been expensive and would have reduced or even wiped out that comfortable margin between revenue and expenditure which enabled the Trustees to rid themselves of the debt. Thus heavier expenditure on the river would have delayed the creation of that clear profit which had by statute to go to the county. The Trustees, for their part, had a double motive for seeing that the county benefited from the reversion as soon as possible. As Trustees they were called upon to safeguard the county's interest in the navigation, and the county's interest really depended on there being a clear profit which could be paid over to the county treasurer. As country gentlemen with residences and estates in Cheshire, the Trustees had an indirect financial interest in the reversion, which went to subsidize county expenditure on bridges and so made possible a

[1] *Commons' Journals*, xxx. 720.

reduction in county rates. The greater the clear profits which the navigation made, the more the county would gain and the more the county ratepayer might hope to gain from a reduction in his rates. It might be maintained that there was no conflict of interests between the Trustees as administrators of the river and the Trustees as guardians of the county's reversionary rights, for in both cases the efficiency of the navigation was the paramount consideration. Such a conflict of interests was, however, possible, for the clear profit, which went to the county, might be secured by "starving" the navigation. In other words, revenue, which should have been used for improving the river, might be diverted to repaying the debt and, once the debt was repaid, to subsidizing the county. It is possible that the Trustees were too eager to liquidate the debt in the 'seventies and that they would have served the interests of the navigation better if they had spent more upon improving the river and less upon debt redemption. By this means they might have put their breathing space to better use and made the navigation more efficient in face of the impending canal competition.

CHAPTER IX

CANAL COMPETITION

The Trent and Mersey Canal seems to have been completed in 1777 or 1778.[1] It followed the route planned by its promoters in 1766, running from Wilden Ferry on the Trent, through the Potteries to Middlewich, Broken Cross, and Wincham. From Wincham the canal ran westwards to Anderton, where it came near to the Weaver though at a higher level. From Anderton the canal and river ran roughly parallel as far as Dutton Hall, where the canal turned north to meet the Bridgewater Canal at Preston Brook. Thus the canal was capable of tapping some of the trade hitherto enjoyed by the Weaver. This was especially true of the Potteries trade, which consisted of goods passing by land between the Potteries and the river at Winsford. It was probably also true of the Middlewich trade, in which Winsford had long participated. It is not surprising therefore that the completion of the canal had an immediate effect on the river trade at Winsford. In 1776–7 that trade amounted to 13,917 tons, in 1777–8 to 9760 tons, in 1778–9 to 6068 tons, and in 1779–80 to 5284 tons. During the five years ending 5 April 1778 the Winsford trade averaged 11,510 tons p.a.; during the five years after that date it averaged only 5297 tons p.a. This decline in trade was clearly due largely to the opening up of direct water communication with the Potteries by means of the canal. Thus the raw materials of the pottery industries, which had been shipped to Winsford and conveyed from there to the Potteries by land, could now go all the way by canal. This resulted in a considerable decline in Winsford's trade in these raw materials. In

[1] The date usually given is 1777 and the fall in the Winsford tonnage in that year appears to confirm this. On the other hand, the Duke of Bridgewater was transferring goods for Liverpool and Manchester from the canal to the Weaver at Winsford in 1777 and 1778, which suggests that some part of the canal north of Middlewich was then unfinished (E. Malley, "The financial administration of the Bridgewater Estate, 1780–1800", p. 37 (unpublished M.A. thesis, Manchester University Library)). Before the canal was completed the Duke carried goods up the Weaver to Winsford, where they were probably transferred to the section of the canal already open for traffic. Thus in 1775 Thomas Kent, the collector of tonnage at Winsford, reported that several boats on the river belonging to the Duke had neglected to give an account in writing of their cargoes and of the quantity and nature of the goods discharged. The Committee therefore ordered their treasurer to send copies of the relevant clause in the Act of 1760 to the Duke's clerk attending at Winsford, to the masters of the boats, and to John Gilbert, the Duke's agent at Worsley, and to inform them that if they did not conform to the regulations, penalties would be levied. There is no further record of the matter, so perhaps they did conform.

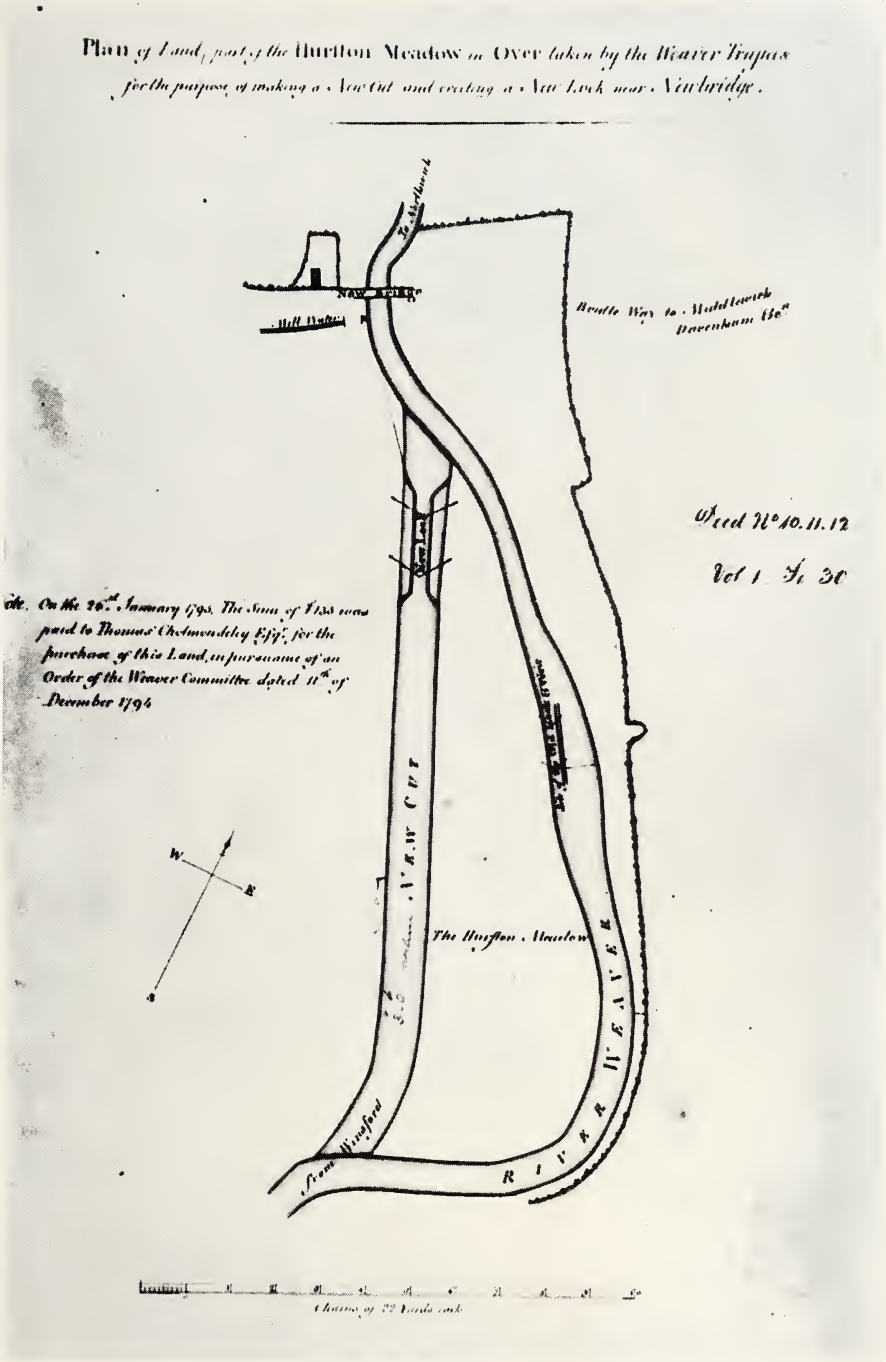
the five years ending 5 April 1778 the clay shipped to Winsford averaged 2336 tons p.a. and the flintstones 357 tons p.a. In the next five years the clay amounted to only 467 tons p.a. and the flint to 210 tons p.a. Similarly, the trade in merchants' goods at Winsford declined in the same two quinquennial periods from 3362 tons p.a. to 515 tons p.a. This decline seems to have been due partly to the loss of the Middlewich trade and partly to the loss of the trade in cratesware. The products of the Potteries had always figured largely among the merchants' goods, but these products could now be shipped direct by the canal. Thus between 12 February 1778 and 14 December 1782 the Duke of Bridgewater's boats carried 21,745 large crates of china from Preston Brook to Liverpool.[1]

The decline in Winsford's trade was felt to be so severe that the Trustees decided to abolish the office of collector of tonnage dues there. That office had been held by Thomas Kent until his death early in 1777, when he was succeeded by his widow, Elizabeth Kent, at the same salary of £40 p.a. Elizabeth does not seem to have been very efficient, for in 1781 the Committee complained that her accounts were kept " in a very irregular manner ". Two years later they reduced her salary from £40 to £20 p.a. on the grounds that the Winsford trade had decreased. Finally, in 1784, the Committee decided that " an officer or clerk to keep the tonnage accounts at Winsford " was unnecessary and Mrs. Kent was given notice. The work she had done at Winsford was transferred to the navigation office at Northwich.

The competition from the Trent and Mersey Canal was felt much more keenly in the Winsford than in the Northwich trade. That was only natural, for some of the Winsford trade had involved land carriage to or from Winsford, which the canal could eliminate. Although the canal skirted the Northwich area and ran parallel with the river for some distance below the town, it does not seem to have offered any better facilities for transport there than the Weaver itself. It is true that the Northwich trade fell from 103,618 tons p.a. in the five years ending 5 April 1778 to 95,496 tons p.a. in the five years after that date. It is not clear, however, how much of this decline was due to canal competition. The Northwich trade had reached a peak of 118,905 tons in 1772–3, from which it had been slowly declining even before the canal was completed. Thus the further decline after 1778 may have been partly a continuation of this trend, which may have been accelerated by wartime conditions after 1776. This is not to deny that the canal did offer some competition even in the Northwich trade. Thus an annual average of at least 12,000 tons rock salt from Marston was carried on the Bridgewater Canal in the 'eighties. At the same time Marston and Acton were getting some of their coal by the Trent and Mersey Canal.[2] Even so, the bulk of the Cheshire salt was still shipped down the Weaver and the bulk of the coal

[1] Malley, op. cit., p. 61.

[2] Ibid., pp. 57–9.


Plan of Land, part of the Hurlton Meadow in Over taken by the Weaver Trupas
for the purpose of making a New Cut and erecting a New Lock near Newbridge.
To Middlewich
New Lock
Old Water
Beadle Way to Middlewich Davenham &c
Deed N° 10. 11. 12
Vol 1 Fo 30
&c. On the 20th January 1795 The Sum of £138 was paid to Thomas Cholmondeley Esqr for the purchase of this Land, in pursuance of an Order of the Weaver Committee dated 11th of December 1794
NEW CUT
The Hurlston Meadow
RIVER WEAVER
From Winsford
W
E
S
Chains of 22 Yards each

7. The New Cut and Lock at Newbridge, 1795

was still coming up the river. So long as the Weaver retained these staple commodities, it could face competition from the canal, but that did not mean that the Trustees could afford to ignore such competition. Still less could they afford to neglect their river.

Faced for the first time with a rival form of water transport, the Trustees seem to have adopted two lines of action. Firstly, they continued with their improvements of the Weaver in order to make it as efficient a navigation as possible. By this means they might hope to retain and expand the trade of the river, even where that trade was threatened with competition from the canal. Secondly, they tried to establish a connexion between the river and the canal, so that the former might act either as a feeder or as an outlet for the latter. These two lines of action were obviously connected, for only if the river were reasonably efficient as a navigation could it hope to profit by a connexion with the canal.

The further improvement of the river involved a continuation of earlier work along lines which had become fairly well established. Even before the Trent and Mersey Canal was completed, the Trustees had embarked upon an ambitious project designed to improve the navigation of the lower course of the river. On 5 October 1775 the Trustees received a petition from nine "proprietors of the rock and salt branches of trade in and about Northwich" [1] in which they were thanked for "the great care and attention" they had "paid to the river Weaver for all its navigable purposes" and especially for the locks which had been executed on such a plan as to enable the petitioners to fulfil their "engagements with the merchants of Liverpool in a much better manner than heretofore". After this flattering opening, the petitioners proceeded to recommend "a much greater and further improvement that might be made, an improvement still more advantageous to trade: vizt. a lock at the lower end of Sutton Marsh". This would "enable the proprietors to answer the demands upon the shortest notice, for the flatts loaded with salt, rock, and other goods would be ready at Sutton for the tide, whereas they are now five miles farther up the river, vizt. at Pickerings, and on coming down from thence are frequently detained by the tide of ebb, but if a lock was made there the flatts so detained at ebb tide would have been at Liverpool". The petitioners concluded that it was "needless to enlarge upon this affair" as "every acting gentleman of the Committee" was "well acquainted with the circumstances here mentioned" and so they left it "to their good judgment and further consideration". The Committee immediately ordered a case to be prepared and submitted to Mr. Kenyon [2] to see whether they had the

[1] They were John Blackburne, junr., Thomas Marshall, Robert Bridge, John Barker, Peter Bancroft, John Mort, John Cheshire, Stephen Ford, and John Furey.

[2] Probably Lloyd Kenyon, whose opinion was sought in 1783 on the question of levying tolls between Frodsham Bridge and Pickerings.

necessary powers under their Acts to carry out the suggested improvement. Two months later, on 7 December 1775, Kenyon reported that the Trustees had no power to extend the navigation below Frodsham Bridge, a decision which must have been based on the Act of 1721 which had defined the navigation as extending from Winsford Bridge to Frodsham Bridge. This definition had not been modified by the amending Act of 1760. The Trustees therefore decided to build a lock on Sutton Marsh above Frodsham Bridge, which they thought would meet the petitioners' wishes. At the same time they rejected another request, put forward by a group of Liverpool merchants, that they should extend the navigation up Witton Brook " and the brook which runs down to the mills of Sir John Fleming Leicester ". This was rejected on the grounds that they had no power under their Acts to extend the Witton Brook navigation above Witton Bridge.

The new works on Sutton Marsh, which involved building a lock above Frodsham Bridge and making a cut across a bend in the river, were at once put in hand. The original plan of these works, which was drawn up by Robert Pownall and George Leigh, seems to have been carried out by 1781 at a cost of £10,360 6*s*. 3¼*d*. It did not apparently prove satisfactory, for on 1 November 1781 the Trustees received a " petition and complaint " from salt proprietors and merchants, which stated that there were frequent stoppages and delays on the river and asked for further improvements to the new works and the weir at Frodsham Bridge. The petitioners stated their intention of " fixing on " a surveyor to view the works. The Trustees agreed that their own inspector and manager, John Johnson, should meet this surveyor and report back to them. Johnson's report has not survived, but it may have recommended the new weir near Frodsham Bridge which the Trustees proceeded to build. The weir involved damage to Sutton Mill, which belonged to Sir Peter Warburton, and there was some dispute over the assessing of this damage. On 5 September 1782 the Trustees offered Warburton £200 as compensation for this damage, but he refused the offer. The matter was then submitted to the arbitration of John Johnson, representing the Trustees, and Edward Stelfox, representing Warburton. Both parties agreed that if the arbitrators could not reach agreement, they, the arbitrators, should appoint a third person whose decision should be final. Johnson and Stelfox disagreed and appointed Samuel Hope, who fixed the damages at £419 9*s*. 6*d*., which both sides accepted. The new weir was completed by 1785 at a cost of £7187 17*s*. 2¾*d*. In view of the heavy cost of these Frodsham works it is not surprising that the Trustees considered whether they could levy tonnage dues on that part of the river. On 3 July 1783 they decided that, as the weir and lock near Frodsham Bridge were intended to pound up the water between the locks at Frodsham and Pickerings, counsel's opinion should be taken on whether tonnage dues

could be levied on goods going up to Pickerings Lock. That opinion was apparently unfavourable, for five months later the Committee resolved that, as the Weaver was naturally navigable at certain tides from Frodsham Bridge to Pickerings, goods could pass free from Frodsham Bridge to Pickerings " except at such times and seasons as that part of the river shall not be navigable without the help of the lock now erected at Frodsham ". That resolution was strictly in accordance with a clause in the Act of 1721 which had permitted tolls to be taken between Frodsham Bridge and Pickerings only when that part of the river could not be navigated without the aid of a lock.

The Trustees may sometimes have found their Weaver Acts restrictive, but on occasion they could invoke them in their own defence. This was the case with the second major work they undertook at this time. On 7 May 1778 Pownall reported to the Committee that Pickerings Lock was " in a ruinous condition ", and it was decided that a new lock should be built. This was completed in 1782 at a cost of £4731 3*s*. 6½*d*. Apparently it was not considered satisfactory by some of the traders on the river, for on 3 October 1782 three of them asked the Committee to supply new gates for the old lock at Pickerings, as the sills of the new lock were higher than the old and caused boats " to be neaped much sooner and longer ". The Committee refused this request on the ground that the complaint was not well founded and that they had " complied with the Weaver Act of Parliament ".

The works near Frodsham Bridge and at Pickerings were the greatest and most expensive improvements that the Trustees carried out on the river during this period, but a little was also done to improve the navigation above Northwich. In August 1784 John Johnson was ordered to survey the " Winsford river " and to see what improvements could be effected there. Some improvement was clearly necessary, for when the owners of flats complained on 6 January 1785 that there was insufficient depth of water in that part of the river, Johnson showed that the depth of water over the sills of the locks varied from 5 ft. 2 ins. at Hunts Lock to 3 ft. 11 ins. at Vale Royal Lock. The Committee admitted that the depth of water was in places less than the Act of 1760 required and so ordered Johnson to raise the tops of the weirs in order to raise the level of the water. Six months later Johnson submitted a plan for improving the Winsford river and the Committee agreed that the river should be widened. It is impossible to say what exactly Johnson's plan was or how much of it was carried out. The fact that Johnson was told to widen part of the river near Winsford Bridge on 3 August 1786 and was ordered to prepare a new plan for the Winsford river on 1 March 1787, suggests that the Trustees were reluctant to undertake any extensive improvements on that part of the navigation. It is certainly true that only one important work was carried out above Northwich at this time.

That was the building of a new bridge at Hartford, which may have been part of Johnson's plan for the Winsford river. On 8 June 1785 Johnson was told to prepare estimates both for raising Hartford Bridge and for a "cut and turn-bridge", by which vessels could pass without going under the existing bridge. Two months later the Committee decided that a new bridge should be built and that a brickyard should be set up at Hartford on a piece of land called the "Cloughs", which was bought from William Anker for £210. The land for the bridge itself was bought in April 1786 from John Rowe of Liverpool.[1] The bridge cost £2612 4*s*. 11½*d*. and seems to have been finished in 1787, for on 13 June of that year Johnson was ordered to fix a cast-iron frame or fender under the arch of the bridge to prevent the masts of vessels from damaging the stone work.

Apart from these new works, the Trustees spent an average of £2290 p.a. on repairs during the years 1777 to 1787. Some of this money was spent on maintaining the towing-paths, which were an essential part of the navigation. Thus on 25 June 1783 the Committee, which was meeting appropriately, but rather unusually, "on board the Stamford boat on the river Weaver", ordered the towing-path in Anderton, which had been damaged by floods, to be repaired. The paths were usually repaired by building up the river banks with burr stones. This was done near Weaverham in 1786 and near Winsford Bridge in the following year. To the cost of these repairs had to be added the small sums paid annually to landowners for the right to use towing-paths through their land. These payments averaged about £45 p.a. in the early 'seventies and about £44 p.a. in the late 'eighties.[2] The smallness of these payments may have been due in part to the fact that the towing was done by men, who were usually assumed to do less damage than horses to the land. Towing by gangs of men was a common feature of eighteenth-century river navigations, though one of the silent revolutions in transport of that period seems to have been the substitution of horses for men. The early promoters and opponents of the Weaver navigation appear to have assumed that horses would be used for towing and the Acts of 1721 and 1760 allowed the use of either men or horses, but all the evidence suggests that men were employed until about the end of the century. Thus on 6 May 1779 the rock and white salt proprietors asked the Committee to make "a towing-path for horses on the river". Pownall was thereupon ordered to make a survey and prepare an estimate of the cost of such a towing-path from Northwich to Frodsham Bridge, but on 1 July the Trustees rejected the salt proprietors' request. The request was not renewed until 1792, but then it was accepted, for John Johnson was ordered to set up "hatches and bridges" in the towing-path from

[1] The Trustees paid £200 per Cheshire acre for the land.

[2] Damage Books, 1736–85, 1785–1839 (Northwich MSS.).

Acton Bridge to Frodsham Bridge so that horses could be used instead of men. In 1793 this horse towing-path was extended from Acton Bridge to Anderton. It was probably as a result of this change that the payments for "towing-path damages" rose to £90 p.a. from 1795 to 1800.[1] Even by then men were apparently used for towing boats on some parts of the river, for on 4 October 1798 Johnson was ordered to "erect a shade near Frodsham Lock for the use of the hawlers towing vessels on the river Weaver". These men probably towed the boats below Frodsham Bridge, for the Trustees had always refused to carry out any works on that part of the river and had in 1785 even refused to make a towing-path there on the grounds that their powers only extended to Frodsham Bridge and not below it. On that part of the river, and indeed elsewhere, the boats used sails when possible, but sailing could hardly be a permanent substitute for towing.

Canal competition may not have inspired the Trustees to build towing-paths for horses, but it probably influenced their decisions to carry out the other improvements on the river. Those improvements largely followed the traditional lines of new cuts, locks, and weirs. Their effect was to increase the efficiency of the navigation, especially in its lower reaches, but they did not of themselves constitute any direct connexion between the Weaver and the Trent and Mersey Canal. The creation of such a connexion might, however, enable the Weaver to benefit from the trade of the canal by making the river a link between the canal and the Mersey. If the Trustees could establish such a link they might undo some of the harm, which they felt had been done in 1766 by the unholy alliance between the "Staffordshire schemers" and the Duke of Bridgewater, which had resulted in the canal avoiding the Weaver and entering the Mersey at Runcorn. On the other hand, the establishment of such a link presented new problems to the Trustees, for which they had little precedent, and demanded new undertakings, of which they had little experience. It cannot be said that either the absence of precedent or the lack of experience deterred them from attempting a union between the river and the canal. "Miss Weaver" had been jilted in 1766, but a marriage might still be arranged.

The project for a connexion between the river and the canal seems to have arisen from a petition of the salt proprietors of Liverpool and Northwich asking for a reduction in tonnage dues. This was presented on 4 December 1777 and considered by the Committee on 12 January 1778, when it was referred to a general meeting of the Trustees. At this meeting, which was held on 15 March, it was decided that "if proper quays with communications and other conveniencys were erected and made at Anderton or Barnton for reshipping of goods and merchandizes into the river Weaver from the Staffordshire canal it would be a more eligible plan for

[1] Ibid.

the benefit of trade on the Weaver than a reduction of the tonnage". The matter was referred back to the Committee who decided, on 7 May 1778, that the scheme was "not advisable", but in its place they proposed a "new plan . . . that if the road was amended from the Broken Cross to the Guide Post in Pennys Lane goods might be conveyed from the Weaver at Northwich or Witton Brook to the canal at Broken Cross for 10*d*. per ton". A month later the Committee accepted this "more eligible plan" and ordered the road to be repaired and land to be acquired at Broken Cross adjoining the canal for quays and warehouses. By September 1778 the work had proceeded far enough for James Harrop to be appointed wharfinger at the new warehouse under construction at Broken Cross. His salary was to be £30 p.a. At the same time the Committee ordered the new road to be continued from the Guide Post in Pennys Lane to the sign of the Cock at Witton. Some of the material for this road building was carried on the Trent and Mersey Canal, for on 4 March 1779 the Committee complained that the canal proprietors had charged tonnage dues on it, whereas under the Act of 1766 material for the repair of highways was to be exempt from such dues. Measures were to be taken to recover this money, but whether they were successful is not stated. The Trustees continued with their scheme during 1779, for on 7 October they ordered a warehouse to be built at a cost of £25 near the navigation timber yard in Castle Northwich. This was for the reception of goods from the Broken Cross warehouse, which were being transhipped on to the Weaver. By the end of the year or early in 1780 the work was finished. The road building and repairing and the warehouses had cost £2330 18*s*. 6*d*.

The Trustees had proceeded to build roads and erect warehouses without apparently any qualms about their legal powers to do so. There is no record that they took counsel's opinion about the matter, which is a remarkable contrast to their doubts and hesitations of twelve years before. It was only when a more ambitious plan was suggested to them that they again developed doubts. On 3 February 1780 William Crosby proposed that the Trustees should buy his stock and materials at Cavendish Bridge and should "extend their works and trade on the Staffordshire canal". The exact nature of this proposal is not clear, but, as Cavendish Bridge is near to Wilden Ferry, Crosby was presumably suggesting that the Trustees should take an active part in the trade of the canal even where it had little or no connexion with the Weaver. The Committee considered the proposal, but rejected it on the grounds that they had not the necessary powers under their Acts. The Trustees might well boggle at turning themselves into traders, but they showed no hesitation in turning themselves into carriers. Having established a connexion by road between the river and the canal, they proceeded to set up an organization for the carriage of goods between Longport, near Stoke-on-Trent,

and Liverpool. By October 1780 the Trustees had a clerk, Jacob Lea, at Longport, whose salary was £40 p.a., and probably also a porter, for in March 1782 the wages of the porter at Longport wharf were reduced from 8*s*. to 6*s*. a week. Lea's business was to collect the cratesware and send it down the canal, presumably to Broken Cross, where it would be transferred to the Weaver at Northwich and shipped from there to Liverpool. At Liverpool John Wright, whose salary was also £40 p.a., was what the Trustees described as " our agent for transacting our business at Liverpool ". In the reverse direction clay was shipped up the Weaver to Northwich and from there transferred to the canal at Broken Cross.

This organization was not set up merely to assist carriers who wished to use both the river and the canal. The Trustees were actually acting as carriers, just as the Duke of Bridgewater acted as a carrier on his canal. They were receiving large sums for freight and were carrying some goods in their own boats. It is impossible to determine how much of the carriage they did in their own boats, but the large payments for freight, which they made to the canal company, show that the bulk of the actual carriage was done by that company. The Trustees had embarked upon this enterprise without any consideration of their legal powers to do so, but if they had no legal doubts they soon developed economic misgivings. As early as 9 August 1781 the Committee debated whether they should farm out to private individuals their carrying trade on the canal together with the " warehouse, boats, and works ". They decided to continue the trade, but expressed themselves as willing to receive proposals from anyone wishing to take it. No such proposals were received, which is hardly surprising, for the Committee reported on 2 October 1783 that the trade was " attended with loss ". They therefore resolved " that the said concern be no longer carryed on by the said Trust in consequence thereof ". The concern was to be wound up by 5 January 1784 and the treasurer was to inform " all the Potters and others concerned in that trade " of this decision. The trade was apparently abandoned before January and in June 1784 the Committee declared that the wharf, warehouse, and cranes at Broken Cross had " become useless, the trade lately carried on there by the Weaver being discontinued ". They therefore ordered the wharf, warehouse, and cranes to be sold. They were bought by Thomas Marshall in November 1784 for £210. Four months later the Trustees ordered Johnson to sell one of their " canal boats " and this was bought by George Chesworth for £43. The Trustees who had somewhat light heartedly invaded the enemy's territory had been compelled to withdraw with some loss.

It is difficult to determine exactly how much the Trustees had lost by this interesting experiment in which an unwieldy body of country gentlemen undertook the business of a carrier. The capital sunk in the

wharf, warehouses, and roads amounted to £2330 18*s.* 6*d.*, of which only £210 was recovered from the sale of the Broken Cross wharf and warehouse. Even if the Castle Northwich warehouse were still of use to the navigation, the capital loss amounted to over £2000. The "trading" losses sustained by the Trustees as carriers are more difficult to determine. The "Staffordshire canal account" kept by the Trustees shows that between April 1780 and the winding up of the carrying business £7874 7*s.* 2½*d.* was paid out. Much of this was paid to the Trent and Mersey Canal company for tonnage dues and freight on clay. During the same period the Trustees received £6824 10*s.* 1*d.*, most of which came from the freight on clay and on merchants' goods. Thus the loss was about £1050, but it is not certain that these figures cover all the Trustees' expenses and earnings as carriers. Some of these expenses and earnings may have been included in the Trustees' general accounts, from which it is impossible to disentangle them. It is clear, however, that the Trustees had developed a considerable business as carriers before they decided to abandon the enterprise as unprofitable. Between April 1780 and April 1784 6047 tons 3 cwt. clay were brought up the Weaver to Northwich. This trade was clearly the result of the Trustees' activity as carriers, for the clay was entered in the accounts in the name of the Trustees and after April 1784 this trade practically ceased. During the same period the Trustees shipped 6521 tons 5 cwt. merchants' goods to or from Northwich. Such figures show that the Trustees were operating as carriers on a large scale, but they do not prove that the operation was profitable. Indeed, there is no doubt that the Trustees lost on their business as carriers, even if it is impossible to determine precisely the extent of that loss or the reasons for it.

The abandonment of the carrying business did not mean that the Trustees were giving up all attempts to secure better road communication between their river and the canal. On 6 November 1783 Mr. Magee, clerk to Mrs. Wood of Winsford, pointed out to them that their abandonment of the Broken Cross business had resulted in large quantities of salt being carried down the canal. He suggested that if the road from Middlewich to Winsford were repaired, this salt would be carried to Winsford and there shipped by the Weaver. The Trustees at once ordered Mr. Metcalfe of Congleton to survey the road and to make an estimate of the cost of its repair, for which the Trustees would lay down the necessary gravel at Winsford. Metcalfe presented his estimate on 4 December, but it does not seem to have satisfied the Trustees, for they ordered Mr. Hudson of Tarvin to prepare another. Hudson's estimate turned out to be nearly the same as Metcalfe's and on 16 December the two men were given the contract for repairing the road, which they agreed to do for £750. At the same time the Trustees decided to repair the road from Winsford to Spittle Hill, which in June 1784 they ordered

to be lowered so that it could join the Winsford–Middlewich road then under construction. This was to be done by Hudson and Metcalfe at the Trustees' expense. The road lately made by the Trustees from " the Cock in Witton to the Guide Post turning towards Knutsford ", which was reported to be in a decaying state, was also to be repaired, but this was to be done by John Johnson, the Trustees' inspector of works. Hudson and Metcalfe had completed the road from Winsford to Middlewich by 11 November 1784, when they presented bills for £922 1s., which the Trustees agreed to pay. This was higher than their contract price, but the bills may have included the cost of lowering the Winsford to Spittle Hill road. Gravel for the repair of that road was still being provided by Johnson in September 1785. Whether this road building really drew the Middlewich trade to the Weaver, it is impossible to say. The white salt shipped from Winsford increased from 3301 tons 3 bushels in 1783–4 to 4139 tons 14 bushels in 1784–5, but that increase was probably due to the expanding salt output at Winsford itself, where production seems to have risen rapidly after 1784. Similarly, the trade in merchants' goods at Winsford increased from 461 tons 6 cwt. in 1783–4 to 811 tons 16 cwt. in 1784–5, but the tonnage accounts do not show what proportion, if any, of these goods was destined for or came from Middlewich. On the other hand, the shipments of flintstones to Winsford, which continued to be fairly heavy down to 1794, suggest that road transport still constituted a link between the head of the Weaver navigation and the Trent and Mersey Canal.

The Trustees had tried to forge such a link both between Winsford and Middlewich and between Northwich and Broken Cross. They do not seem to have been very successful in their attempt, though they were later to renew it in a different form. Their more successful work in the decade after 1777 had been on the Weaver itself, though even there much remained to be done. All these undertakings, whether they involved the improvement of the Weaver or the establishment of a connexion with the canal, had to be paid for, and some of them, especially the works near Frodsham and at Pickerings, had been costly. Moreover, their financing revealed a weakness which arose directly from the relationship between the navigation and the county. The Trustees were under a statutory obligation to hand over the clear profits of the navigation to the county, which meant that they could not build up any reserve fund to meet capital expenditure on the river. Thus they had paid £4500 to the county between 1777 and 1779, when the new works near Frodsham and at Pickerings were still unfinished. They had hoped that some of this money would be used by the county for the improvement of the river, for in granting £2000 to the county on 2 July 1778 they had instructed their treasurer to ask the justices of the peace to use the money " in making a cut or canal across Sutton Marsh and in erecting a swivel

bridge there, which will be a great advantage to the vessels navigating upon this river and also be a means of preventing the damages daily done to Frodsham Bridge by the said vessels and thereby save the county the expence of repairing the same". This rather subtle attempt to link the improvement of the river with the preservation of the county bridges was not successful. The justices of the peace agreed to the Trustees' proposal on 6 October 1778, but only on condition that there was a surplus available for the work after the repairing of bridges and highways.[1] In fact no such surplus was available. Nor, indeed, was there any clear profit which could go to the county for almost a decade after 1779.

The financial position of the navigation in April 1779 showed that the payments to the county had been premature. Those payments had not been made out of the clear profit earned by the navigation in the years in which the payments had been made. They represented rather a dissipation of the accumulated balance in the treasurer's hands. Thus in the financial year from April 1778 to April 1779, in which £2500 was paid over to the county, the navigation had not made a profit at all. The expenditure in that year on repairs, salaries, and new works amounted to £8738, while the tonnage revenue was only £4688, the difference being met from the balance of the last year's account, which amounted to £6596, though this included "arrears of tonnage uncollected". It is hardly surprising therefore that the actual balance in the treasurer's hands on 5 April 1779 was only £377 6*s*. 9¾*d*. and that the Trustees had had to resort to borrowing. On 4 March 1779 the Committee declared that there were demands on the navigation amounting to £2000 and that there was no fund in the treasurer's hands to meet these demands. They therefore authorized the borrowing of that amount at 5 per cent. In the following month £2700, not £2000, was borrowed at 5 per cent from seven lenders in amounts varying from £200 to £500. The borrowing was formally approved by the Trustees at their annual general meeting, which was held on 1 July 1779, a few days after the final instalment of £500, voted to the county the year before, had been paid over. This was the last payment to the county for some years, for the heavy expenditure on the works near Frodsham and at Pickerings made more borrowing necessary. In October 1779 a further £500 seems to have been borrowed and in 1780 £5260, but £1500 of this was used to repay part of the £2700 borrowed the year before. The remainder was sufficient to carry the Trustees through 1780 and 1781, but in 1782 a final £3750 was borrowed. Thus the total amount borrowed was £12,210, of which £1500 had been repaid, leaving a debt of £10,710.[2]

[1] Quarter Sessions Minutes, 25*a*, 6 October 1778.

[2] That was the amount of the debt on 6 April 1784. It is difficult to determine exactly how much was borrowed and repaid between 1779 and 1784 as the figures

Note. The above Piece of Land whereon the Witton Brook Quays are erected was leased by Sir John Fleming Leicester Baronet to the Weaver Trustees for a Term of Ninety nine Years from the 1st Feb.y 1790

8. Plan of Witton Quays, 1790

This sum of £10,710, upon which interest at 5 per cent was paid, had been borrowed from twenty-five people in amounts varying from £100 to £2000. The lenders included Peter Bradburne, merchant, John Cheshire, Elizabeth Formosson, Thomas Marshall, William Thearsby, surgeon, Mary Salmon, all of Northwich, Peter Pickering, yeoman, of Hartford, John Okell, yeoman, of Plumley, John Furey, merchant, of Winnington, Peter Bancroft, merchant, of Weaverham, William Dutton, yeoman, of Wincham, John Sprowson, shoemaker, of Middlewich, John Fryer, yeoman, of Runcorn, Peter Summerfield, carpenter, of Witton, Catherine Skellorn and John Hollin, both of Nether Knutsford, and Rev. Dr. Samuel Peploe of Chester. Thus most of the lenders belonged to Cheshire. That had almost certainly been the case in earlier borrowing by the Trustees, but a new feature of this later borrowing was the amount lent by people concerned in the salt industry. Thus the largest individual sums lent to the Trustees were £2000 by John Cheshire and £1900 by Thomas Marshall, both of whom were concerned in the Northwich salt trade. Other salt traders who lent smaller sums were Peter Bancroft, Elizabeth Formosson, and John Furey.[1] None of the lenders remained creditors of the navigation for very long. In 1784, when the cost of new works was only £1665, the Trustees were able to repay £2000 of the debt. The remainder was paid off in the next three years, when the only work in progress, except repairs, was the rebuilding of Hartford Bridge. The liquidation of the debt again brought the reversion into operation and in September 1787 the Trustees resumed their grants to the county, which received £500, appropriately enough, at the Christmas quarter sessions.

The debt had been made necessary through heavy expenditure on new works, but once those works were completed it was possible to use the annual excess of revenue over expenditure for the liquidation of the debt. That annual profit was in turn the result of increasing trade and so of increasing revenue from tonnage dues. During the 'eighties the revenue from tonnage dues averaged £6772 p.a. This was an increase of only 9·7 per cent over the previous decade, but during half that decade the tonnage rates had been higher than in the 'eighties. Thus the actual tonnage carried in the 'eighties averaged 135,756 tons p.a., compared with 112,926 tons p.a. in the 'seventies, or an increase of 20 per cent. That increase was due to the expanding salt industry. An examination of the Weaver's trade in the year ending 5 April 1783 shows how much it continued to depend on salt and coal. In that year the total trade was 118,865 tons 18 cwt., of which Northwich's share was 114,276 tons 17½ cwt. and Winsford's 4589 tons ½ cwt. The Northwich trade included

given in the accounts and Minutes are not always consistent. The account given above seems to be the most reasonable interpretation of these figures.

[1] Calvert, op. cit., pp. 684–6.

42,407 tons 13 bushels rock salt, 38,940 tons 30 bushels white salt, 26,764 tons 16 cwt. coal, 4362 tons 14 cwt. merchants' goods, and 1538 tons 10 cwt. clay. The chief items in Winsford's trade were 1885 tons 15 bushels white salt, 1666 tons 10 cwt. coal, 427 tons 1 cwt. merchants' goods, 305 tons 12 cwt. flintstones, and 225 tons 10 cwt. clay. Thus salt comprised 70 per cent and coal nearly 24 per cent of the total trade of the river. The nature of this trade did not alter much in the 'eighties. The shipments of clay to Northwich practically ceased after the Trustees abandoned their business as carriers. The abandonment of that business may also account for the fall in Northwich's trade in merchants' goods, which was down to 2572 tons 17 cwt. by 1785–6. This figure included no cratesware, which by then was probably all going by the canal. Otherwise the merchants' goods did not differ from those of earlier decades, except perhaps that they were beginning to include more cheese than had hitherto been sent down the river. Such minor changes did not materially affect the general picture of trade. The Weaver had retained its traffic in salt and coal. So long as it continued to do that, the Trustees could regard canal competition with some equanimity. That competition had not proved so formidable as they had expected. On the other hand, an effective union between the river and the canal had proved more difficult than they had anticipated. Despite this, they had not abandoned the idea of such a union.

CHAPTER X

CANAL CONNEXION

During the last decade of the eighteenth century the Weaver Trustees were faced with problems similar to those which they had attempted to solve in the 'eighties. They were still confronted with a rival navigation which ran close to, but did not join with, their own. It is true that the Trent and Mersey Canal had not affected the river trade as adversely as some of the Trustees appear to have feared, but it had competed with that trade in the eastern hinterland of the Weaver. This problem of competition remained the same in the 'nineties, and so too did one of the weapons with which such competition could be fought, namely, the continued improvement of the river itself. Similarly, the task of effecting some connexion between the river and the canal remained, for the earlier attempts to establish such a link appear to have been neither very well chosen nor very successful. The operation of a carrier's business by the Trustees had been a bold experiment, but its boldness had lain in the conduct of a business for which the Trustees had neither legal powers nor professional qualifications. It had scarcely shown a similar boldness in devising a physical link between the river and the canal, for the road communication between Northwich and Broken Cross was a mere extension of the traditional method by which the river ports had gained access to their hinterlands by land carriage. Such a method might succeed when the hinterland towns had no direct access to water communication, but when they had such access by canal, their trade could only be attracted to the Weaver if the link between the river and the canal were shorter and more efficient than that already devised by the Trustees. Thus, though the Trustees might continue their traditional methods of improving the Weaver itself, they needed some new device for establishing an effective link between the river and the canal.

In the years immediately after the opening of the Trent and Mersey Canal the Trustees had concentrated their attention on improving the lower stretches of the navigation and had completed new works near Frodsham Bridge and at Pickerings. They had not done much on the river above Northwich except for rebuilding Hartford Bridge, though the complaints of the owners of flats about the state of the navigation there and the production of plans for its improvement by Johnson showed that all was not well with the Winsford river. It is possible that the decline in Winsford's trade after 1777 had deterred the Trustees from undertaking extensive improvements on that part of the river. If that were so, the

deterrent no longer operated after 1784, when the Winsford trade began to increase so rapidly that it more than doubled in the next three years. In view of this, it is hardly surprising that the Trustees undertook important new works on the river above Northwich. These works were new locks at Vale Royal, Newbridge, Hartford, and Hunts.

In November 1778 the Committee ordered John Johnson to make 500,000 bricks for the new lock at Vale Royal, but they did not actually order the lock to be built until the following June. It was completed by April 1793 at a cost of £6998 4*s* 3½*d*. As soon as the Vale Royal Lock was nearing completion, work was begun on the Newbridge Lock, which was finished early in 1796 at a cost of £7799 17*s*. 7¼*d*. At Hartford work on the new lock began in 1794 and by February 1796 it had progressed far enough for the Committee to order a small house to be built for the lock-keeper " at as light an expence as possible ". Five months later the Committee decided to make a cut across the end of a meadow in Hartford called Halton [1] Meadow to " cut off a very considerable angle in the said river ". In August 1796 £205 6*s*. 3*d*. was paid for land in Hartford for this cut. These works at Hartford were not completed until 1800. They cost £7589 0*s*. 11½*d*. The rebuilding of Hunts Lock was the last to be undertaken. In June 1794 the Committee declared that the land above Hunts weir had been washed away " by reason of the same being loosened and removed in setting up the scaffolding for building flatts, in launching the same into the river and in other works carried on at the graving docks and timber yard there belonging to Mr. Cheshire and in possession of William Holland ". No action seems to have followed this statement, which provides almost the only direct evidence of boat building on the river during the eighteenth century. Fifteen months later, in September 1795, the Committee ordered the weir at Northwich to be raised to facilitate the passage of boats into Hunts Lock, but it was not until 1798 that they decided to rebuild the lock. On 4 January 1798 the Committee ordered Johnson to " cast clay in the cloughs at Hartford sufficient to make 200,000 bricks and for the like number out of the intended new lock pit at Hunts Lock ", but it was not until December that they ordered work on the new lock to be begun. The lock was completed in 1805 at a cost of £7883 1*s*. 3*d*. Thus all the locks above Northwich, except Butty Meadow Lock, had been rebuilt. Though details of the construction and dimensions of the new locks are lacking, it seems clear that the old timber locks had been replaced by more substantial structures of brick and stone.

Below Northwich no such extensive or expensive works were carried out on the Weaver in the last years of the century. Certain improvements were effected in the Northwich and Witton Brook areas, but these

[1] This is the name given in the Minutes, but on the plan of the cut it is called Horton Meadow.

were not on a large scale. At Northwich the only considerable work undertaken was the rebuilding of Dane Bridge. This followed complaints from the proprietors of salt works on the banks of the Dane that the bridge was ruinous and was too low for the passage of boats. The Trustees agreed on 24 July 1788 to pay two-thirds of the cost of rebuilding the bridge if the townships of Davenham and Northwich would pay the remaining third and would allow the work to be done by the servants of the navigation and in accordance with a plan approved by the Committee. The townships seem to have objected to this financial arrangement, for in October 1788 the Committee approved the plan for the new bridge and agreed to carry it out if Northwich would guarantee to pay £250 towards the cost, a sum which Davenham had already agreed to pay. Northwich accepted this arrangement and the bridge was completed in 1791 at a cost of £1904 2*s*. 11¼*d*. Northwich and Davenham each paid £250 towards the cost, which meant that they had saved some £67 each by not accepting the earlier plan of paying a third of the cost between them.

The work undertaken at this time in the Witton Brook area was of a different nature. It consisted partly of road repairing, partly of improving the Brook itself, and partly of providing increased wharfage facilities. On 19 June 1788 the Committee declared that the road in Wincham township running from the rock pits in Wincham and Marston to the north end of the causeway adjoining Witton Bridge was much decayed through the carriage of rock salt and the sinking of old rock pits, and was too narrow for carts to pass each other. Because of these defects in the road, rock salt, which was sent to Witton Brook, might be sent to the Trent and Mersey Canal, with a resulting loss of tonnage revenue. The Committee therefore ordered Johnson to rebuild 610 yds. of the road leading from the north end of the county causeway towards the rock pits of Robert Deakin & Co. in Wincham. He was to raise the level of the road and make it 6 yds. wide. When the work was finished the township of Wincham was to pay one-sixth of the cost and the Trustees the rest. This work was carried out at a cost of £392 12*s*. 1½*d*., all of which seems in fact to have been borne by the Trustees. In April 1790 Johnson was ordered to rebuild a further 360 yds. of the road.[1] While improving the connexions between the Brook and the salt pits, the Committee also turned their attention to the Brook itself. At the meeting on 19 June 1788 they ordered a plan and an estimate to be prepared for making a basin and quays at the upper end of the Brook for the shipping of rock salt. Johnson was ordered to widen the Brook near the existing quays, where it was too narrow for flats to pass, to raise the sills at Witton Brook Lock, and to prepare a plan for widening and deepening

[1] In 1797 the Trustees granted £100 for the repair of roads leading to the quays on the river near Acton and Weaverham. They granted a further £100 in each of the years 1798–1800.

the Brook. Nothing much seems to have been done to widen and deepen the Brook, for although the Committee resolved to do that in July 1788, they were still ordering it to be done seven years later.

The Trustees showed rather more alacrity in carrying out their proposal to make quays at the upper end of Witton Brook, though it was not until August 1789 that they actually embarked on this enterprise. Then they leased both land and quays from Sir John Fleming Leicester for ninety-nine years, agreeing to pay him a rent of one-third of the wharfage from the quays. On 4 March 1790 the Committee fixed this wharfage at $3\frac{1}{2}d.$ a ton for rock salt shipped at the quays, except for salt shipped by Henry Wilckens & Co., Thomas Pownall & Partner, and John Stubbs, who, by a previous agreement with Leicester, had the right to ship at $1d.$ a ton. At the same time Johnson was ordered to erect a new quay on the land leased from Leicester. Later, in 1796, when John Tomkinson agreed to ship all his salt and to discharge all his coal at the quays on Witton Brook, Johnson was ordered to erect a crane there for unloading the coal. Thus without any of their former legal scruples, the Trustees had become owners and operators of quays. Whether the enterprise was profitable, it is impossible to say. Between 1790 and 1798 the receipts from wharfage averaged about £89 p.a., but it is impossible to disentangle the expenses from the general expenditure on the river. If the costs of running the Winsford wharves by Thomas Patten & Co. earlier in the century are any guide, then the Trustees must have made a profit from their Witton Brook wharves.

The rebuilding of Dane Bridge and the improvement of communications in the Witton Brook area had not directly affected the Weaver itself, but two plans were considered at this time for making considerable alterations in the course of the navigation at and below Northwich. The less ambitious of these plans was presented to the Committee on 9 November 1797 by Thomas Morris of Liverpool. Morris proposed that a cut or canal containing one lock should be made from Northwich weir to Anderton, which would render unnecessary the locks at Northwich and Witton Brook. This plan apparently affected the water power used in a cotton mill belonging to a Mr. Drinkwater of Manchester, and the Committee agreed that Drinkwater should be consulted about the scheme.[1] On

[1] Drinkwater was probably the Peter Drinkwater who had a cotton mill in Manchester of which Robert Owen became the manager in 1792. Owen managed Drinkwater's " spinning establishments " both at Manchester and " at Northwich in Cheshire " (R. Owen, *A New View of Society and Other Writing*, Everyman edition p. 189). Drinkwater was not the only millowner getting his water power from the navigation. On 6 April 1780 Messrs. Cockshutt & Co. of Macclesfield asked the Committee for permission to use the waste water from Northwich weir for their proposed " building for the purpose of carrying on a manufactory in the cotton branch ". The Committee decided to take counsel's opinion whether they had power to grant the request. The opinion was apparently favourable, for on 9 August

21 December 1797 Drinkwater attended the Committee, who offered him £1000 as compensation for damages to his cotton works by the proposed plan "whereby the regular course of the water from the wheel at the cotton works would be stopped". Drinkwater may have refused this offer, for on 4 January 1798 the Committee decided to drop the scheme and resolved instead merely to repair the lock at Northwich. At the same time they ordered their treasurer to examine another plan put forward by Morris, which was said not to affect Drinkwater's mill. Nothing, however, came of this plan, though the Committee paid Morris £41 2*s*. 9*d*. for his work in surveying the proposed cut between Northwich and Anderton.

The more ambitious plan considered at this time was one which was to be carried out in the early years of the nineteenth century. This involved giving the navigation a new outlet to the Mersey by making a canal from near Frodsham Bridge to Weston Point. In June 1796 a petition to the Trustees from the rock- and white-salt proprietors and owners of flats asked for the navigation to be extended "from above Frodsham weir to the deep at Weston Point". Such an extension "would entirely do away all neaps" and would enable the proprietors to do a quarter more business in the same time. The petition was considered by the Trustees at their annual general meeting on 7 July 1796, when they decided that they were "not empowered to extend the said navigation". This decision was obviously not regarded as final, for in October the Committee was considering a plan of the proposed canal and in November they ordered Thomas Chantler, who had succeeded to the treasurership on Thomas Ives Brayne's death in 1793, to prepare a Bill for a cut or canal from Sutton by Frodsham to Weston Point. This action was approved by a general meeting on 2 December 1796, which referred the draft of the Bill to the Committee with orders to proceed in the matter. The Committee in turn approved of the draft on 5 January 1797, but on the same day the owners of rock-salt pits, of white-salt works, and of flats informed the Committee that they could not agree to pay any additional tonnage dues until the proposed canal was completed. They were thereupon told that the Trustees would not proceed in the matter unless they agreed to pay additional dues from the time the Act was passed, for the Trustees had no power "to give security for money necessary to be borrowed for the purpose of making the said cut or canal unless an immediate tonnage is granted". A month later the

the Committee decided to build a wall to protect Northwich weir from damage caused by Cockshutt & Co. taking water for their newly erected building. Cockshutt & Co. agreed to pay £50 of the £67 which the wall would cost. On 6 September 1781 the Committee agreed that Daniel Whittaker & Co. of Manchester should take water from Acton weir "to supply a mill for a cotton manufactory which they intend to erect at Acton . . . It being understood on both sides that everything they have to carry by water shall go by the river Weaver."

Committee stated that the traders on the river, except Mr. Bridge and Mr. Mort, had relinquished their offer to subscribe to the new canal. The Trustees therefore declared that they did " not think it consistent with their duty to apply to Parliament to authorize them to burden the old river (with an expence attending the proposed canal), the clear tonnage whereof has been many years applied according to the directions of the last Act of Parliament ".

The matter was not revived until two years later when it was brought forward by Nicholas Ashton, apparently acting as spokesman for the rock- and white-salt proprietors. At a meeting of the Trustees on 8 August 1799 a letter from Ashton was read which stated that the rock- and white-salt proprietors had agreed to subscribe £10,500 for the canal from Frodsham to Weston Point. The Trustees regarded this amount as inadequate and informed Ashton that they expected the whole amount needed would have been subscribed by the proprietors. They declared that they could not pledge the tonnage dues of the old river as security for the money to be advanced, for that must be secured on the tonnage of the new canal alone. Only when they had an assurance that the whole sum needed was ready to be advanced would the Trustees furnish Ashton with a copy of the Bill for consideration by the salt proprietors. No such assurance was immediately forthcoming and it was not until 1807 that the necessary Act was obtained under which the Weston canal was built.

The improvement of the river in the last years of the eighteenth century was a continuation of earlier work, except for the acquisition and operation of quays on Witton Brook, which represented a new departure in the Trustees' activities. The provision of better wharfage facilities and the repair of roads leading to the Brook were undertaken largely to prevent part of the salt trade from being diverted from the Weaver to the Trent and Mersey Canal. The Trustees were not content, however, merely to increase their competitive strength in the no-man's-land which lay between the river and the canal. On the contrary they wanted to draw some of the canal trade on to the Weaver itself by establishing a link between the two which would be shorter and more efficient than the former road connexion with Broken Cross. The establishment of a satisfactory link involved technical problems which only nineteenth-century engineering could solve, but that did not deter the eighteenth-century Trustees from attempting a solution.

On 6 November 1788 the salt proprietors of Middlewich represented to the Committee that if proper quays, engines, and communications were made at Anderton or Barnton for reshipping goods on to the Weaver from the Trent and Mersey Canal it would be an advantage both to the Weaver and to themselves. The Committee ordered Johnson to prepare plans and estimates for such a connexion and on 17 November they gave a general approval of the scheme provided that counsel's opinion showed

that the Trustees had the necessary powers. Counsel's opinion was favourable and on 5 March 1789 the Committee formally approved the plan "for making quays and engines with communications and other conveniencys" for reshipping goods from the canal to the river, and ordered Brayne to negotiate for land near the canal and the Weaver. So far the Committee had not decided whether the connexion with the canal should be at Barnton or Anderton, nor had they decided what form the connexion should take. They seem to have spent more than a year in working out their plans, for it was not until 5 August 1790 that they decided to lay two alternate schemes before the proprietors of the Trent and Mersey Canal. Neither of these schemes was very clearly described, but one was for cutting a sluice across the towing-path of the canal and the other was for wheeling goods over the towing-path. The canal proprietors were to be asked to give their consent to the former and, if they refused, were to be told that the Trustees had power to carry out the latter scheme, presumably without their consent. The canal proprietors apparently refused their consent which meant that the "sluice" scheme had to be abandoned. It is not clear what this scheme really was. The reference to the sluice suggests that the Trustees envisaged some communication by water between the canal and the river, but how they proposed to overcome the difference in level between the two, which at Anderton was some 50 ft., it is impossible to say.

The abandonment of the "sluice" scheme meant that the Trustees had to adopt their second plan of wheeling goods over the canal towing-path. They do not seem to have been very clear themselves how this was to be done. On 6 January 1791 they authorized Brayne to write to Mr. Paddy, junior, of Stourbridge, for information about his wharf on the banks of the canal and about how he conveyed goods across the canal towing-path to his warehouse. Brayne was also to write to George Chesworth of Middlewich for similar information. Perhaps this information was encouraging, for on 7 April 1791 the Committee decided to acquire land at Anderton adjoining the canal from Sir John Stanley and his son. In the following month they agreed to negotiate with Lord Mansfield for about a statute acre of land in the same place. All this land was required for "making conveniences for reshipping salt out of boats on the canal into vessels on the river Weaver". The measures so far taken by the Committee were approved by the Trustees at their annual general meeting on July 1791 when the plan for a "junction" with the canal was formally ratified. Even so progress was slow, for in December 1791 Johnson was told to prepare materials and erect a crane for the proposed communication with the canal, but these were only to be in readiness for the time when the conveyance of the land from Stanley had been completed. It was in fact not until eighteen months later that the Trustees got possession of the land. This delay seems to have been caused, not by

Stanley, but by the canal company, for on 6 June 1793 Mr. Sparrow, attorney to the company, informed the Committee

> that the canal company did not mean to defend the ejectment brought to recover the possession of the piece of land in Anderton purchased by the Weaver Trustees from Sir John Stanley, Bt., but would give up the possession thereof immediately, reserving to the canal company such powers as they are intitled unto under and by virtue of the Act of Parliament for making the said canal.

The Trustees, having got possession of the land, proceeded to open a communication between it and the canal towing-path. On 4 July 1793 they ordered Johnson to open such a communication " by pulling and breaking down so much of the hedge or fence . . . which divides the said towing-path from the said piece of land " as was necessary for setting up a gate. On the following day the Committee ordered Thomas Chantler, the new treasurer, to apply to the salt proprietors at Middlewich to give security that they would carry their salt to Liverpool by the proposed communication and down the Weaver until the Trustees had received the sum of £500 from the tonnage of such salt. There is no evidence that this security was given, unless the fact that the Trustees continued with their work is indirect evidence that it was. That work comprised not only getting access to the canal towing-path but also making a " new canal or bason " at Anderton, which would accommodate the boats receiving goods from the canal. This was under construction in November 1793 when it was decided that the wall of the basin on the wharfside should be of ashlar and not burr stone. By June 1794 the work had progressed far enough for Johnson to be ordered to erect " temporary shades of timber and boards at the new bason at Anderton for the purpose of putting in and securing salt carts used in reshipping salt there ". At the same time Johnson was told to take a journey to Coalbrookdale " for the purpose of examining and informing himself fully on the nature and method of making the different railed roads and other works used there for shipping goods into vessels on the river Severn ". Perhaps as a result of this journey, Johnson laid before the Committee on 4 September 1794 two plans for works at the Anderton basin, but these were merely ordered to be filed. Whatever these plans were they were not immediately carried out, for little seems to have been done at Anderton during the next three years. In November 1795 the Committee ordered a small house to be built at the basin for the person in charge of the works there and in June 1796 two cranes were erected there in the hope that goods would be " brought up the river Weaver and landed and reshiped at the said bason ".

It is doubtful whether goods were brought up the Weaver to be transhipped on to the canal at this time, for all the evidence suggests that the works at Anderton were for the reception chiefly of salt which was

being transhipped from the canal to the river. Thus on 1 March 1798 the proprietors of the salt works at Middlewich asked the Committee " to erect another wheeling stage and loading trough at Anderton bason for the greater convenience of shipping salt there ", and Johnson was ordered to do that. On 5 September 1799 Johnson was told to make a " railed way and other conveniences " at Anderton basin for shipping rock salt and other goods from boats on the canal to boats on the Weaver, provided John Gilbert & Co. entered into a bond with the Trustees to carry their rock salt and other goods down the Weaver. They were to carry sufficient salt and other goods down the Weaver in two years to meet the cost of the " railed way and other conveniences ", together with interest. If they did not do so, they were to pay the cost directly. There is no evidence that Gilbert & Co. entered into this bond, except the fact that the " railed way " was built. On 24 June 1800 Gilbert & Co. represented to the Committee that " the railed way at Anderton bason for the reshipping of rock salt is very much incommoded by one of the wheeling stages erected there for the purpose of reshipping white salt, whereby vessels cannot take in rock salt and white salt at the said railed way and wheeling stage at the same time ". The Committee ordered the basin to be lengthened and the wheeling stage to be removed to another place, provided Gilbert & Co. would enter into a bond to ship rock salt and other goods down the Weaver until the cost of these improvements had been repaid from the tonnage dues arising from such shipments. Gilbert & Co. appear to have objected to guaranteeing to pay sufficient tonnage dues to cover unspecified costs, for on 3 July the Committee agreed to make the alterations if Gilbert & Co. would undertake to pay £900 in tonnage dues in the three years from 5 April 1801. Again there is no evidence that Gilbert & Co. entered into such an undertaking.

So far the emphasis at Anderton had been almost entirely on shipping salt from the canal to the river, but on 11 September 1800 a deputation " from gentlemen concerned in the pottery trade " attended the Committee " and proposed to carry clay, flint, and crates down and up the canal and to reship the same to and from vessels navigating on the river Weaver ". The Committee therefore decided to buy more land from Sir John Stanley to facilitate this transhipment and ordered Johnson to " rig the present cranes and level the ground between the cranes at Anderton bason as a temporary convenience for reshipping crates into flatts on the river Weaver ". A plan of the existing communication at the basin was given to the deputation for suggested improvements. The deputation attended a further meeting of the Committee on 2 October and pointed out certain improvements that could be made at Anderton. These were apparently accepted by the Committee which decided on 13 November 1800 to make the " proposed sheds, railed roads, and

other conveniences" at Anderton without requiring the "gentlemen concerned in the pottery trade" to enter into any obligation to indemnify the Trustees for the cost of these improvements. The following year these improvements were taken in hand, for in March 1801 Johnson was ordered to build a new quay at the basin for reshipping clay and in April to erect two additional cranes there. The work continued in 1802 when another crane and "two folding stages" were erected.

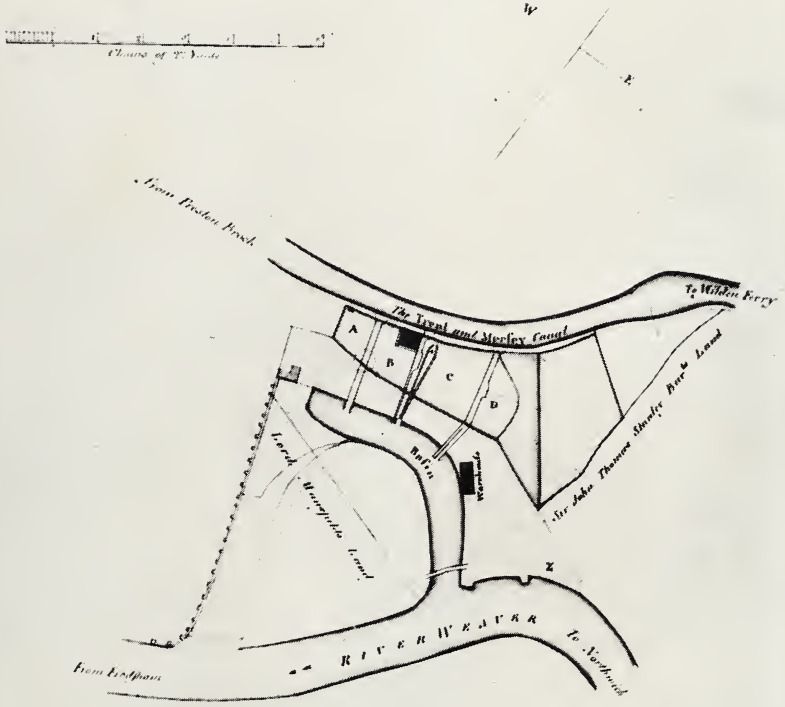
It is difficult to determine the exact nature of this link between the Weaver and the Trent and Mersey Canal at Anderton and still more difficult to determine its effect upon the trade of the river. The works carried out at Anderton between April 1793 and April 1798 cost only £2077 12*s*., which was much less than the cost of a new lock. They cannot therefore have been of a very elaborate nature. Their chief feature was the basin, which lay roughly parallel with the canal and which had access to the river by a short cut or channel. On the side of the basin facing the canal were the wharves and cranes. The basin itself came to within about 44 yds. of the canal, but there was no communication by water between the two. Thus salt had to be unloaded out of the boats on the canal, carried by land across to the basin, and there loaded into boats, which passed into and then down the Weaver. How was the salt conveyed across this strip of land? From the canal the land sloped down to the basin with a fall of some 50 ft. At first the salt seems to have been carried in carts to the basin where the "wheeling stage and loading trough" may have enabled it to be discharged directly from the carts into the boats. Later at least one "railed way" was built between the canal and the basin, which would enable the salt to be hauled in wagons or trucks in the same way that coal was hauled along the "railways" of eighteenth-century collieries. It would be interesting to know whether the slope of the land was used as an inclined plane, by which the wagons running down to the basin were used to haul up those ascending to the canal. Such a device would require two sets of rails and what appear to be two such sets are shown on a nineteenth-century plan of the basin. They may date from the early years of the century, for an order of the Committee, dated 5 March 1801, that Johnson should provide a chain to be used for the rock-salt wagons at Anderton instead of ropes, rather suggests that some device in the nature of an inclined plane was then employed. A few years later Henry Holland noted that salt was transferred from the canal to the Weaver by "inclined plane" at Anderton.[1]

Whatever devices were used at Anderton it is clear that goods passing between the canal and the river would have to be transhipped. The need for such transhipment may not have been a serious handicap in competing with the canal, for in the 'sixties it was said that salt destined

[1] H. Holland, *General View of the Agriculture of Cheshire* (1813), p. 320.

PLAN of Lands purchased by the Weaver Trustees from the late Sir John Thomas Stanley Baronet for the purpose of making a Communication between the Trent and Mersey Canal and the River Weaver at Anderton

DEED No 93
75. 764. 77



The Parts marked with the Letters A B C D containing together 0 R P
0 0 38 Cheshire Measure
denote the Lands first purchased from the late Sir John Thomas Stanley Baronet in the Year 1791, and which, with several other Pieces since purchased, are delineated on a larger Scale and more particularly described in the next Page

The small Piece of Land late part of Lord Mansfields Wheat Bay Meadow marked with Letter Z and containing 12 Statute Perches was demised by the Weaver Trustees to Sir John Thomas Stanley for the Term of Years as appears by a Lease dated 7th March 1819 Consideration £7 10 s. Yearly Rent One Penny, payable on the 24th June

9. Plan of the Anderton Basin, 1791

for Liverpool, which was carried by the canal to the Mersey, would have to be transhipped there as the canal boats could not "live in the tide way".[1] So far as can be determined the salt which was loaded on to the river boats at Anderton basin proceeded to Liverpool without further transhipment. Such salt paid tonnage dues of 1*s*. a ton for its passage down the Weaver, but whether this was less than it would have paid if it had gone by canal to Runcorn it is difficult to say. On the Trent and Mersey Canal itself salt probably paid the same tonnage dues whether it went to Anderton or to Preston Brook. Between Preston Brook and Runcorn the dues payable to the Duke of Bridgewater were 6*d*. a ton. Goods passing through the locks at Runcorn paid an additional 6*d*. a ton.[2] Moreover, at Runcorn, Bridgewater "constructed a large reservoir into which vessels, destined to enter his canal, were admitted at tide time". For the use of this dock a charge of 1*s*. a ton was made and it was "impossible for a carrier to resist the exaction without a great sacrifice of time".[3] If it were necessary to use this dock on leaving the canal, goods going from Preston Brook into the Mersey might have to pay 2*s*. a ton in all or double the Weaver tonnage rate. It is possible that goods transhipped at Runcorn avoided some of these payments, but only at the cost of having to use the Duke's land and warehouses in the process of such transhipment.[4] It is certainly not unreasonable to assume that the shippers of salt, clay, and pottery wanted a connexion between the river and the canal at Anderton so that they could avoid the use of the Bridgewater Canal between Preston Brook and Runcorn.

How far shippers made use of the connexion at Anderton it is difficult to say. During the seventeen-nineties they do not seem to have used it for the transport of clay or cratesware. Salt, however, does seem to have been shipped along the Trent and Mersey Canal to Anderton and there transferred to the Weaver. Thus between April 1795 and April 1800 17,674 tons of white salt from Middlewich were shipped down the Weaver. These shipments were recorded at Northwich and presumably consisted of salt transferred from the canal to the river at Anderton. The Trustees obviously regarded the connexion at Anderton as worth maintaining and developing for they spent £3417 on the works there between 1801 and 1808.

In the last decade of the eighteenth century the Trustees had thus established a connexion between the river and the canal at Anderton and had carried out important improvements on the river above Northwich. The former had not proved very costly, but the works carried

[1] *The History of Inland Navigations*, i. 38.

[2] Malley, op. cit., pp. 65–6.

[3] J. Sandars, *A Letter on the Subject of the Projected Rail Road between Liverpool and Manchester* (1824), p. 7.

[4] Malley, op. cit., p. 69.

out on the Winsford river had been expensive, partly perhaps because they had been undertaken at a time when prices and wages were rising. The general rise in prices and wages forced the Trustees to pay more both for materials and labour. They began by raising their own expense allowance. At the annual general meeting on 3 July 1794 it was agreed that the expenses of the Trustees and the treasurer attending committee and general meetings should not exceed 7*s*. 6*d*. per head. These expenses were almost entirely for food and drink and the previous maximum, fixed in 1782, had been 5*s*. a head. Rises in other directions followed. On 2 April 1795 John Fryer of Runcorn reported to the Committee that he could no longer supply ashlar stone at 3*s*. 8*d*. a ton. He was therefore asked to submit his lowest terms. There is no record of what these were, but two months later the Committee decided to buy ashlar stone from Peter Houghton at 4*s*. 6*d*. a ton, which was said to be lower than Fryer's tender. Unfortunately this stone, which came from Daresbury, was found not to be satisfactory for all purposes and in November 1795 Johnson was ordered to apply to Fryer for ashlar stone for those purposes for which Houghton's was unsatisfactory. About the same time came requests for higher wages. On 6 August 1795 the day labourers asked for a rise in wages "in consequence of the present high price of provisions". This was refused, but, because of the high price of corn, they were granted an extra 1*s*. a week until the next Committee meeting. That meeting continued the grant, which was regarded as a "special allowance" and not an increase in wages, but a further meeting on 1 October discontinued it. The allowance was restored on 12 November until further notice, again because "of the high price of provisions". It seems to have been maintained at least until the end of the century. In 1796 five carpenters and sawyers employed in the navigation timber yard asked for an increase in wages from 11*s*. to 12*s*. a week, which was "considered reasonable" and granted. Four years later the carpenters' wages were raised from 12*s*. to 15*s*. a week. Increases were also made in the rates for piece work. On 2 June 1796 the Committee agreed to pay Nicholas Bower, stonemason, 3*d*. per foot instead of $2\frac{1}{2}d$. "for all the stone dressed and set in the foundations of any new lock" and $4\frac{1}{4}d$. per foot instead of $3\frac{3}{4}d$. "for all tool dressed stone set in any such locks". Similarly, on 11 May 1797, the Committee agreed to pay Ann Latham, the blacksmith employed by the navigation, 5*d*. a lb. instead of 4*d*. for new iron work and $2\frac{1}{2}d$. a lb. instead of 2*d*. for working up old iron "on account of the advanced price of corn and workmen's wages". Finally, the lock-keepers on the Winsford river and at Witton Brook, Barnton, Saltersford, and Pickerings had their wages raised to 7*s*. a week in December 1796 again because of the high price of provisions.[1]

[1] Their previous wages seem to have varied from 5*s*. to 6*s*. a week according to the lock they attended. In February 1797 Elizabeth Gerrard had her wages as

Higher prices and wages obviously increased the Trustees' expenses, especially as they coincided with a period when considerable new works were carried out on the river, but neither the new works nor their increased cost forced the Trustees to have recourse to borrowing. They were able to meet all expenditure out of revenue because of the remarkable increase in the yield of the tonnage dues. In the 'nineties that yield averaged £9778 p.a. or an increase of 44 per cent over the previous decade. This was sufficient not only to cover expenditure on the navigation, but also to produce a clear profit for the county. Between April 1787 and April 1800 no less than £49,500 was paid over to the county treasurer,[1] or an average of about £3800 p.a. Had it not been for the statutory obligation to pay over this money much of it might well have been used to improve the outlet of the navigation below Frodsham Bridge.

The financial condition of the navigation, which enabled large sums to be spent on new works and large payments to be made to the county out of revenue, was the result of the increase in the river trade during the last decade of the century. That trade was subject to considerable fluctuations but in the 'nineties it averaged 197,111 tons p.a. or an increase of 45 per cent over the previous decade. Though the trade had increased it still comprised the same sort of goods as before. Thus in the year ending 5 April 1793 the total trade of the river amounted to 159,527 tons 13 cwt., of which Northwich accounted for 134,326 tons 18 cwt. and Winsford for 25,200 tons 15 cwt. The Northwich figure included 44,114 tons 36 bushels white salt, 48,140 tons 20 bushels rock salt, 35,367 tons 7 cwt. coal, 5048 tons 14 cwt. merchants' goods, and 784 tons limestone. The Winsford trade consisted of 13,850 tons 10 bushels white salt, 10,431 tons 6 cwt. coal, 624 tons 19 cwt. merchants' goods, 288 tons 5 cwt. flintstones, and 6 tons bricks. Taking the trade as a whole salt accounted for 66 per cent and coal for 29 per cent. The remaining 5 per cent consisted largely of road- and house-building materials, limestone, flintstones, and merchants' goods. Among the merchants' goods shipped up the river were considerable quantities of wheat, barley, oats, copper, calamine, and " China stones " and small amounts of raw cotton. Apart from these, wine, groceries, and the miscellaneous necessaries of life constituted the merchants' goods as they had done for more than half a century. No doubt they were important to the shopkeepers of Winsford and Northwich and to their customers, but in the history of the river trade as a whole they play a very subordinate part. That trade

lock-keeper at Acton Bridge Lock raised to 12*s*. a week, but this was said to be because of the increase of trade, not the increase of prices.

[1] Calvert, op. cit., p. 480, says that £32,000 was paid to the county between 1788 and 1798. The accounts, however, show that between April 1788 and April 1798 the county received £38,000.

was founded on salt and coal and neither war nor canal competition could shake that foundation.

Salt and coal had provided the original motive for improving the Weaver and, once the river had been improved, they became and remained the basis of its trade. It was the revenue from salt and to a lesser degree from coal that made possible the locks and weirs, the cuts and towing-paths of the navigation. It was that same revenue which made possible the liquidation of the debt and the payments to the county. Salt and coal played a rôle in the history of the Weaver similar to that played by a cash crop in a "frontier" economy. They constituted staple commodities upon which the whole economic foundation of the navigation rested. Thus that foundation rested on what might be termed a monoculture, in which the crop was salt, for the coal itself was largely dependent on the salt. Fortunately it was a crop of which the yield was apparently inexhaustible and for which the demand was increasing. If it had been otherwise, if the salt industry had declined instead of expanded, the Weaver might have suffered the fate of those less fortunate navigations whose derelict locks and silted channels bear witness to the misplaced optimism of their promoters. Instead, the Weaver was linked with an expanding industry whose very expansion was in part dependent on the navigation. Yet the link was essentially a cash nexus in which the salt industry supplied the bulk of the tonnage revenue to a navigation over which it had little or no control.

The control of the navigation lay in the hands of the landed gentry of Cheshire. That control may have been nominal down to 1758 but after that date it was real and direct. It was only natural that such control should have been so exercised, not because eighteenth-century river navigations were usually controlled by the landed gentry, for they were not often directly so controlled, but because the Weaver was an exceptional river navigation. It was not exceptional as an engineering feat, for its locks and cuts could be paralleled elsewhere, but it was exceptional in being, not a private enterprise, but a public trust in which the profits were to go to the county. It was natural therefore that they who governed the county should also control the county's trust. Yet such control had disadvantages. Without exaggerating the division between the landowning and the industrial interests, it is clear that the Trustees represented the former and the chief users of the navigation the latter. Those who used the navigation, especially the salt traders of Winsford, Northwich, and Liverpool, might have raised their own local cry of "no taxation without representation", for they certainly paid the piper without calling the tune. Their attempts to call the tune, which took the form of requests for further improvement of the river and for lower tolls, show that they were not always satisfied with the Trustees' management of the navigation. Such requests were not always

received very sympathetically, especially when they came from Liverpool traders, for the Trustees were anxious to secure a profit from the navigation, which would go to the county and which would subsidize the county rates. That profit certainly depended on the maintenance of the navigation, but the complaints and requests of the traders suggest that the Trustees needed some outside pressure for the efficient fulfilment of their duties. It might well have been better for the navigation if those who used it could have been given a share in its administration. That would have involved widening the circle from which the Trustees were drawn, but even if it were maintained that in local affairs, as in national, power must be linked with property, yet there were other forms of property than landed estates. It is true that the position of the Trustees was never really challenged in the eighteenth century, but, as the production and transport of salt expanded, the conflict between the traders and the Trustees increased. The Trustees were in fact in the dangerous position of a static institution in a dynamic society, but they displayed that extraordinary tenacity of power of the English landowners by successfully maintaining their position until the last decade of the nineteenth century. Only then was the " self-elected body, consisting of landowners, gentry, and clergy ", compelled to admit representatives of the traders and of Northwich and Winsford.[1]

During the latter part of the eighteenth century that self-elected body of Trustees had sought to fulfil its obligations both to the county and to the navigation. Those obligations were perhaps not always fully reconcilable, but the Trustees had tried to do justice to the dual nature of their trust. If they had not always succeeded in this difficult task and had at times shown a bias in favour of the county, at least they had maintained and improved a navigation which played an important part in the economic life of that county.

[1] Calvert, op. cit., p. 464.

APPENDIX I

BIBLIOGRAPHY OF PAMPHLETS

A Short Account of a Design for making the River Weever in the County of Chester Navigable, from Frodsham-Bridge to Winnington-Bridge, being about 5 or 6 miles only. n.p., n.d. (1699 ?),[1] (Add. MSS. 36,914, f. 29).[2]

Reasons Humbly Offer'd for making the River Weaver in the County of Chester Navigable, from Northwich to Frodsham-Bridge. n.p., n.d. (1709 ?), (Add. MSS. 36,914, ff. 86–7).

Reasons against The Bill for making the River Weever Navigable in the County of Chester, as it affects Trade in general. n.p., n.d. (1720 ?), (Add. MSS. 36,914, ff. 117–18).

Reasons Against the Bill for making the River Weaver Navigable. n.p., n.d. (1720 ?), (Add. MSS. 36,914, ff. 119–20).

Remarks upon the Printed Paper, Entitled, Reasons against the Bill for making the River Weaver Navigable. n.p., n.d. (1720 ?), (Arley MSS. Printed in facsimile in Calvert, *Salt in Cheshire*, pp. 437–9).

Further Answers to Objections of the Brine-Salt-Makers in Cheshire, against making the River Weaver navigable. n.p., n.d. (1720 ?), (Arley MSS. Printed in facsimile in Calvert, *Salt in Cheshire*, p. 440).

The Case of Charles Cholmondeley, Esq. ; In relation to the Intended Navigation on the River Weever. n.p., n.d. (1720 ?), (Add. MSS. 36,914, ff. 121–2).

Reasons, Against making the River Weaver Navigable from Windsford-Bridge in the County of Chester, to Frodsham-Bridge in the said County. n.p., n.d. (1720 ?), (Add. MSS. 36,914, f. 123).

[1] My earlier opinion that this pamphlet should be dated 1709 (Willan, *River Navigation in England*, pp. 143–4) seems to have been wrong. This is almost certainly the pamphlet referred to by Peter Shakerley in a letter to Sir Thomas Aston, dated 4 February 1710, in which it is said to have been printed twelve or fourteen years ago (*infra*, p. 148). The copy of the pamphlet in Add. MSS. 36,914 is endorsed in Shakerley's handwriting " Collected from Sir Willoughby Aston's letters to Peter Shakerley and printed 12 or 14 years since when this project was then in agitation in order to have been then delivered to the members of the House of Commons had the projectors then proceeded in their designe ". This is presumably the copy enclosed by Shakerley in his letter to Aston. If the pamphlet were printed twelve or fourteen years before 1710, its date would lie between 1696 and 1698, but it seems clear from Shakerley's letter that the pamphlet was printed during the agitation of 1699. Jackman, who gives the substance of the pamphlet (*Development of Transportation in Modern England*, ii. 668–9), ascribes it to 1699.

[2] The pamphlets in Add. MSS. 36,914 and among the Arley MSS. are, of course, printed and not in manuscript.

Reasons most humbly offer'd to the Right Honourable the Lords Spiritual and Temporal in Parliament assembled, for passing the Bill for making the River Weaver, in the County of Chester, Navigable from Winsford-Bridge to Frodsham Bridge. n.p., n.d. (1720 ?), (Arley MSS. Printed in facsimile in Calvert, *Salt in Cheshire*, pp. 434–6).

Copies of the several Petitions to the Right Honourable the Lords Spiritual and Temporal, in Parliament assembled, for passing the Bill to make the River Weaver, in the County of Chester, Navigable from Winsford-Bridge to Frodsham-Bridge. n.p., 1720, (Arley MSS.).

Remarks upon the Petitions preferred, and the Cases and Reasons published against the Bill to make the River Weaver Navigable, from Winsford-Bridge to Frodsham-Bridge. With some further Reasons humbly Offered for Committing and Passing the Bill. n.p., n.d. (1720 ?), (Arley MSS. Brit. Mus. 357 b 3 (70)).

Copy of a Letter from A. D. to H. L——h, Esq. about making the River Weaver, in the County of Chester, Navigable. London, 1720, (Arley MSS.).

Reasons for Committing the Bill, for making the River Weaver, in the County of Chester, Navigable from Winsford-Bridge to Frodsham-Bridge. n.p., n.d. (1720 ?), (Arley MSS.).

Reasons Humbly Offered For passing the Bill for making the River Weaver Navigable from Frodsham Bridge to Northwich in the County of Chester : With Remarks upon the Proposals from Liverpool. n.p., n.d. (1727 ?), (Brit. Mus. 357 b 9 (76)).

Reasons Humbly Offered Against a Bill passed the Honourable House of Commons and now Depending before Your Lordships, Entitled, A Bill for Repealing An Act passed in the Seventh Year of His present Majesty's Reign, for making the River Weaver Navigable, from Frodsham Bridge to Winsford Bridge in the County of Chester, and for the more speedy and effectual carrying on and perfecting the Navigation of the said River, from Frodsham Bridge to Northwych in the said County. n.p., n.d. (1727 ?), (Brit. Mus. 357 b 9 (74)).

Reasons Humbly Offered by John Daniel and William Blackburn, Esquires, for themselves, and on behalf of Charles Duckenfield, Thomas Butterworth, and John Reddish, Esquires, and others, Gentlemen and Freeholders of the County of Chester, against a Bill for Repealing an Act made in the Seventh Year of His Majesty's Reign, for making the River Weaver Navigable from Frodsham Bridge to Winsford Bridge in the County of Chester. n.p., n.d. (1727 ?), (Brit. Mus. 357 b 9 (72)).

Proposal Humbly Offered For making the River Weever Navigable, from Frodsham-Bridge, to Northwich in the County of Chester. n.p., n.d. (1727 ?), (Brit. Mus. 357 b 9 (75)).

Reasons Humbly Offered By the Trustees of Richard Vernon Esq. : deceased, against the Bill for Repealing an Act made in the Seventh Year of his Majesty's Reign, For making the River Weaver Navigable. n.p., n.d. (1727 ?), (Brit. Mus. 357 b 9 (78)).

Reasons humbly offered Against allowing the County of Chester any Part of the Tonnage Duty for making the River Weaver Navigable. n.p., n.d. (1727 ?), (Bodleian Library, Gough, Cheshire, 5).

A Plan or Scheme For an Act for explaining and amending an Act passed in the Seventh Year of the Reign of his late Majesty King George the First, " Intitled, An Act for making the River Weaver Navigable, from Frodsham Bridge to Winsford Bridge, in the County of Chester ", and for the more effectual preserving and improving the Navigation of the said River. n.p., n.d. (1760 ?), (Arley MSS.).

The Case of The Persons who have advanced the Sum of Eighteen Thousand Pounds, on the Security of the Rates and Duties arising from the Navigation of the River Weaver, in the County of Chester. n.p., n.d. (1760 ?), (Arley MSS.).

APPENDIX II

CORRESPONDENCE, 1699 to 1720

The following letters are all in Add. MSS. 36,914, ff. 20–93, except the draft of the letter from John Partington to Sir Thomas Johnson, dated 27 May 1715, which is among the Northwich MSS.

Sir George Warburton, Lord Gerard, Sir Richard Brooke, Sir Willoughby Aston, Thomas Cholmondeley, and Richard Legh to the gentlemen and other inhabitants of Bucklow and Macclesfield Hundreds. 1699 ? [1]

Gentlemen,

By intelligence from London and some practices in the country, we find that the projectors, concerning whome we have formerly troubled you, have renewed theyr design and prepared a Bill now ready to be presented in Parliament for making the river Weever navigable from Frodsham Bridge towards Northwich. We think it needless to represent to you how injurious this Bill would prove to those who have lands lying near the river and destructive to the trade of this county, especially of Middlewich and Namptwich and all the adjacent salt works, since the easy import of coals from Lancashire to Northwich and export of theyr salt would certainly enable the proprietors there to undersell and ruin all the other salt works which are supplied with coals from Staffordshire or Wales, whereby about four thousand families, now subsisting by the land carriage of those coals, salt, and malt, would be utterly ruined and left to be maintained at the charges of their respective parishes, and the rents of those lands where they inhabit and of those near their roads would be impaired. After which some few proprietors of rock salt and brine in and near to Northwich (who alone can be enriched by this project) having engrossed the trade, would impose the price of salt at theyr own pleasure and raise their fortunes on the ruine of the country. We have prepared a petition to be heard by our counsel against the said Bill and if ye approve it, we desire your concurrence with us, believing your subscription will be as serviceable to the country as obliging to, gentlemen, your humble servants.

[P.S.] We send the like petition to other hundreds for expedition, intending to unite them all in one roll.

[1] This letter is printed in Hughes, *Studies in Administration and Finance*, p. 257, where it is ascribed to 1709, but the signatures show that it must belong to the earlier struggle of 1699. Of the signatories, Sir Willoughby Aston died in December 1702, Thomas Cholmondeley in February 1702, and Lord Gerard, who must have been Charles, sixth lord Gerard of Gerards Bromley, died in April 1707.

Randle Bayley, Richard Wrench, Peter Hodgkinson, John Holford, Daniel Corker, and Randle Austin, of Middlewich, to Peter Shakerley. 5 December 1709 (copy).

Honored Sir,

Haveing the coppy of your worship's letter to Sir Thomas Aston communicated to us by Mr. Corker to whom you were pleased to send it, we doe ourselves the honor to inform your worship that wee are all of opinion that this project, if it succeed, will not only be the ruine of all the saltworks in and near Middlewich and Winsford but also of many hundred families who subsist by the imployment they have with their teams and otherwise from those saltworks, and will be much to the prejudice of all other saltworks in Cheshire except those in and near Northwich for whose particular advantage, lett it be covered with what specious pretence soever, this is purely designed, except Sir Thomas Johnson have anything else in view with relation to the refineing works, which we think very few in this county ought to promote the interests of. If your worship please to give us directions how to proceed, wee doubt not to make it appear this designe to be so farr from any interest of the nation in generall that it will be manifestly to the disadvantage of a great part of this county in particular ; but the method of our proceeding wee must leave to your worship to propose, and whether you think it proper and in what manner that wee address the knights of the county (being all utterly unknown to them), or that you'l please to communicate this to them, we haveing great reason to hope for their concorrence and favourable assistance in opposing this business. We want such an opportunity to consult with any one in this matter as may enable us to give your worship at present any further account, but shall not omitt anything in our power to further our own interest. In the mean time with hearty thanks to your worship for your great care, we beg leave to subscribe ourselves . . .

[P.S.] We hope Sir Thomas Aston and Mr. Cholmondeley will give you their sentiments in this matter.

Hugh Delves, Nantwich, to Peter Shakerley. 5 December 1705 (copy).

I received yours by the last post which I did communicate to the gentlemen and proprietors of Namptwich, which they return you many thanks for your timely notice and care in this great business, and within a post or two will send an instrument to our members with your assistance to stop the unmercifull proceedings of Liverpoole men. If they proceed all the salt works in Cheshire will be ruinated except Northwich, that begarly towne. Middlewich is ruined in the first place, they will have the rock soe cheape lade in that they will carry itt over all Ingland and that will spoil all other works in a little time. I think all the members in those countyes where brine is ought to oppose this Bill, which I hope they will. I will goe forthwith to Middlewich to doe what I can their in promoting an interest against the Bill. I hope Sir Thomas Aston and Francis Cholmondeley and Earl Rivers and Sir George Warburton and Sir Richard Brooke and all that country will use their interest against it. Sir, I did not receive your first letter which you mentioned in your letter. I am satisfied the rock salt ruins the white as it is and the government loses by it.

Peter Shakerley, Westminster, to ? Sir Thomas Aston. 8 December 1709.

Yours dated the 1st instant came to me Munday last. I deferr'd answering it last post in expectation of an account from you yesterday that you had received my 2nd letter sent to you Satturday last by Warrington bagg, coppys of which I caused my clark to transcribe and sent them last Satturday to Middlewich and Namptwitche to inform them of their danger, and yesterday's post brought me their answers, coppys of which are here inclosed, by which you will see how much they are allarum'd at this pernicious self-ended project, and I will this post do you justice in letting them know how true a patriott you are of your country in resenting this designe. Before I received yours I informed coz. Langham Booth of it, and found him in the same opinion against it as hee was last year, and hee promised me that if hee was in the House when the petition for leave to bring in the Bill should be offer'd hee wou'd oppose it. Mr. Crew I hear is com up but I have not yet seen him, I will do it as soon as I can and hope I shall find him allso as much against it now as hee was last year; therefore do humbly advice that you give yourself the trouble to write to each of them forthwith to oppose this designe in every stepp it shall make in the House and to speak to all their friends thereof to do the like. I have spoken to coz. Arthur Mainwaring who hath promised me to do so. I am told that Dick Varnum of Midlwitche, who hath some estate (I think call'd Wallascourt) near Northwitche and doth business for Lord Rivers, influenceth his lordship in this matter, but if you write to his lordship which I advice you to do forthwith and acquaint his lordship of what pernicious consequences this project would be to the country in generall and in som measure to his lordship in perticular (for his lordship 'tis presumed hath a benefitt by the grazeing of the carriage horses and otherwise), I believe his lordship would comply with your sentiments and desires.

As to the method of opposeing this designe that 1st is to prevent subscriptions in the country. This your father did so effectually that Slyford (who is and hath been for som time in your parts) and his accomplices proceeded no further, and your father did so convince even the people of Northwitche how much it would be to their prejudice that even those who had subscribed for it opposed it. And there are the same reasons still for every one of them so to do.

The projectors gull them by insinuateing their designe is to make the river navigable up to the town, but alas, they onely intend it to Winnington Bridge, and if to that place onely, all the medow lands between the town and that place will upon every little flood be overflown and spoyl'd, for the navigation cannot be don but by makeing great and high locks to stopp and elevate the water, and if the projectors intend to bring the navigation to the town then the certain consequence will be that those stopps and locks (which must be made) will upon every the least flood drown the town. Nay I think I may assuredly affirm it that those stopps and locks there will staggnate the water so *upon every the least flood* that they'l overflow all the medow-lands (especially those on the river Dane which is very rapid coming from the high mountains in Darbyshire and Staffordshire) very near as far as Congleton, and all the corn-mills and the iron-forge mill above Northwitche

will be so frequently in back-floods that they'l be of little or no use. All the rivers meeting at Northwitche and meeting with these stopps and locks there, this will inevitably be the mischievous consequences of this project upon every the least flood which happens, which too often does so even in summer time when the grass is either mow'd or ready to be cutt.

As to the subsistance which hundreds of famillys have by the carriages of coals and salt, you are well apprized and so I hope the townshipps will be who must maintain 'em, and I suppose Mr. Lawton from whose pitts most of the coals to Midlewitche and Northwitche are brought will be so likewise, if you please to write to him, which I desire you would do. This will allso affect the people who bring malt from Darbyshire and carry back the salt from Midlewitche &c. : and in short one half at least of the rents of the lands now employ'd in grazeing and winter fodder for those horses employed to and fro in the severall carriages aforesaid must be sunk.

You cannot have any petition read in or presented to the House against this project till the Bill is brought in or leave given for it, therefore in the 1st place stopp the subscriptions for it and write to both your knights of the shire severally to watch and oppose it. But you may be goeing on to gett a great many severall petitions against it as if the Bill was in the House or leave given for it. The title of the petitions must be : To the honorable the Commons of Great Brittain in Parliament assembled. The humble petition of the gentlemen and freeholders whose lands lye adjoyninge the river Weever in the county of Chester. Sheweth. That they are informed there is a Bill depending in this honorable House for makeing the said river navigable from Northwitche to Frodsham Bridge which is but about —— miles and is not designed nor ever can be made for the good of that county, but only to monopolize the trade of salt makeing into the hands of three or four perticular persons &c. And so sett forthe the mischiefs it will do to those landed men. And let the prayer of the petition be that the Bill may not pass and that they be heard by their counsell.

Let two other petitions be each from Bucklow and Northwitch hundreds from the farmers and freeholders there who carry coals to the witches, viz. : first to their own houses at spare time in summer time and thence to the witches in winter time.

Let another petition be from Midlwitche.

Let another petition be from Namptwitche.

Let another petition be from all those employ'd in Edisbury hundred in the land carriages.

Let another petition be from all those employ'd so in Northwitch hundred.

Let another petition be from those so employ'd in Bucklow hundred.

Let another petition be from those whose corn mills this will affect.

And I doubt not but you will find all those who pay to the poors rates in each townshipp ready to petition (severally) in each townshipp, which will do very well. And (to conclude) even the town of Northwitche (if they have any sence of their danger) should petition against this which will be a most mischievous project to them. The more petitions the better (for one petition will not be so advantageous), but the words of each must be varyed. Yet the prayer of each to be that the Bill may not pass and that they may

be heard by councell. I would advice you not to put in any of your petitions &c. at Warrington for there is a refineing work near that place, and I know not what tricks may be used there. I doubt I have tyred you with reading this as well as I have myself with writing it, so asking your pardon for it, I crave leave to subscribe . . .

P.S. Let your prayer of each petition be that the Bill may not pass and that they may be heard by councell against it.

John Crewe to Sir Thomas Aston. 17 December 1709.

Yours I received and you may be sure as long as I've the honour to be elected for Cheshire t'will always be my ambition to stir in any thing that tends to the advantage of that county. Mr. Shakerley has satisfied me in the whole matter you mention and I shal be very sorry to make any step in this affair which you will not aprove of, neither do I think it is possible for me to do itt, being as yett very well satisfied how greate a prejudice the project may be to a greate parte of our country.

Langham Booth to Sir Thomas Aston. 22 December 1709.

The two members for Liverpool told me yesterday that there was a design, as you indeed informed me, of making the river Weever navigable, and the petition they design to get signed by the justices of the peace and gentlemen at the next quarter sessions, so that except you can prevent this first step, I fear they will gain their point, for I don't see how I can refuse delivering the petition to the House if it comes up sign'd by the gentlemen of the country, though in my own opinion I am against it. I thought it convenient to give you this notice.

Peter Shakerley, Westminster, to the justices of the peace and the grand jury at the quarter sessions at Northwich. 31 December 1709.

The refiners of rock salt at Liverpool together with Mr. Vernon (an atturney of your country) and one Slyford, intending to gett an Act of Parliament this sessions for makeing the river Weever navigable to Northwich (as they give out though in truth the designe is otherways) and our knights of the shire being against it (well knowing of the many ill consequences which will come thereby to their country), these projectors are contriveing to inforce them to present a petition for it by procureing one to our House of Commons from you. Therefore to prevent your being imposed upon by any specious pretences they may make to you of a publick good, give me leave to acquaint you with only some of the mischiefs which will come to our country by this self-ended project.

(1) Upon every little flood the great and high stopps and locks, which must be made to elevate the water to make it navigable, will cause so great a stagnation of it at Northwich, where the great river Dane and all the other rivers meet, that all the meadow lands upwards for a great many miles will be frequently laid under water.

(2) The rock salt hath already great advantages over the brine and should it obtain this other advantage of water carriage, when the brine salt at present made in your country and the coals with which it is made must all be carried

by land, the salt made from the rock will so much undersell the present brine salt that all those proprietors must be forced to leave off working, and then all our farmers in Cheshire must fetch their salt from the promoters of this project and at what rates they shall please to impose upon them, which you may be sure will be very high. And this will alsoe be the consequence both to the country and to all the witches, even Northwich itself, by the great salt work intended (if this project take effect) to be sett up near Wareham where, or near which place, this navigation will be terminated and will never be brought up to Northwich as is speciously and industerously given out by the said atturney, who hath mighty things in view from the intended great salt work near Wareham aforesaid, which by the easy water carriage of coals from Lancashire and of salt to Fradsham (should this project be countenanced by you) will ruin all saltworks in Northwich and all others in your country.

(3) And when those are distroyed the tax of four shillings per pound will fall very heavy on those towns in the first place, next upon the hundreds, and at last upon the county.

(4) You know that very many of the small freeholders and small farmers in your county doe now supply the witches with coals and by this means are enabled to keep teams to doe their husbandry work, which they cannot doe upon those small tenements when deprived of that benifitt which they will be by this project.

(5) And you alsoe know that many hundred familyes in your country doe now gett their bread by the land carriage of salt and of rock salt, but should this self-ended monopolizeing project take effect, they must all be thrown upon the towns for maintenance.

Gentlemen, these are such of the mischiefs as at present occurr to me, which will befall your country by this intended monopoly and there are others which your own thoughts will bring to your view. I thought it my duty to my country to acquaint you with this designe and hope you will be so farr from petitioning our House of Commons for it, that you will unanimously write to each of your knights of your shire to oppose it. I have nothing next my heart in this matter but the generall good of my country.

Peter Shakerley, Westminster, to Sir Thomas Aston. 4 February 1710.

I hope you have mine (1) per last post, inclosed are Slyford's Reasons now (privately) given out by himself and by Sir Thomas Johnson of Liverpool (a refiner of rock salt and a member of our House for that place) to particular persons for their project upon Weever. Slyford is a poor but a cunning projecting—— [1] was detected of smuggling salt by commissioner of customs and payd the penalty for cheating the government.

His answers to your objections against this project are very fallacious, but to unthinking people and to those who do not know the true state of your country, the distance and scittuations of the places therein mentioned, the places from whence the severall witches have their coals, and the parts to which of 'em vend their salt and in what manner, I say with these people

[1] The noun is omitted in the original. Perhaps Shakerley meant to write "cunning projector".

his answers gain creditt. Therefore, since matters are altered from what they were 12 or 14 years since (for and at which time the enclosed Reasons against this project were calculated and printed and by chance have been kept by me), it is necessary (to sett matters in their true light) to give sollid, substantiall replyes to each of these his pretended Reasons. As for his weak answer to the poor numerous people who keep horses for the land carriages (and do their husbandry work at spare times), that they may keep cows and turn their lands to dayrys, you will easily reply to that by asking whether the cows can till the lands (for a team of horses and cows they cannot keep upon those small tenements). And as for the shipps that stay for loading (which I find is his chief argument) thats but answered by enquireing of the Middlewichmen, Winsford, and Namptwich how that matter of fact is, and whether they will not undertake to load 20 sayl of shipps at any time giveing a fortnight's warning. I this post write to these people to attend you forthwith, please to hear what they say to each of the premises and to each of these reasons of Slyfords. First sett down what they say to each particular and when you have the whole before you, please to collect such a reply as you judge fitting to be printed and given to the members and send it to me with what speed may be and I will take care of it. And please also to gett one or two petitions signed as if the Bill was actually in the House in opposition to it, others may dropp in afterwards. The first petition needs not to be presented till the Bill (if it should by leave be brought in) be read a 2nd time and committed, and the committee cannot by standing order of the House proceed upon the Bill till a week after 'tis committed, and after that week they must give time to those who do petition from time to time, to be heard as the petitions come in, are presented to the House, and referred to the Committee. I attend each morning to watch and oppose the petition for this project, our knights of the shire will not do it; and I think twill look very badly for any other to present it.[1] I ask your pardon for this trouble I am forced to give you.

Francis Cholmondeley, Eaton, to Sir Thomas Aston. 7 March 1711.

'Tis a very great satisfaction to me, and all concern'd, that we are so happy as to have so true and good friend in town at a time when we are assaulted, now the fift or sixt bafflet [? baffled] attempt, in relation to the river Weaver—upon which so many hundreds well beings depend, who would be utterly ruin'd should it take effect—but I need not further enlarge—you knowing, and having been instructed through what your worthy and good father has left in writing, which he answered in all particulars, with his utmost diligence and watchful care for the publick good and his own honour—which will be a lasting fame to his charity to this county. And that everything you undertake may prosper in your hands is the sincere, hearty wish of him, who is, with all due reguard and deference . . .

[1] Shakerley's punctuation of this sentence presents difficulties. As it stands it suggests that the knights of the shire would not oppose the petition, but the final clause suggests that what he meant to say was that the knights of the shire would not present the petition and it would look badly if anyone else presented it.

Langham Booth, London, to Sir Thomas Aston. 12 May 1715.

There being an attempt for making the river Weever navigable, I would desire your thoughts about it, because lying so near it, you must needs be effected one way or another, but which ever way it be, I would desire some reasons as a guide.

Sir Thomas Aston to ? Langham Booth. 16 May 1715 (copy).

I humbly acknowledge the favour of yours which I received by the last post. I was in hopes this ruinous project had bin so often baffled that we might have liv'd secure from any farther attempts of strangers to bring sure destruction upon so many poor families in this county and so great dammage to many others, but now to help forward their designs they have got some assistants from Leverpool, who no doubt have either our interest or their own very much at heart. Some of the principal objections are as follows.

The easy import of coals from Lancashire to Northwich and export of theyr salt wou'd certainly enable the proprietors there to undersell and ruin all the other salt works, which are supplied with coals from Staffordshire or Wales, whereby as has bin formerly computed about four thousand families subsisting by the land carriage of those coals, salt, and malt wou'd be utterly ruined and left to be maintained at the charges of theyr respective parishes, and the rents of those lands where they inhabit and of those near their roads would be impaired, after which some few proprietors of salt rock and brine in and near Northwich (who alone can be enriched by this project), having engrossed the trade, would impose the price of salt at their own pleasure and raise their fortunes on the ruin of the country.

Besides not only those who intirely subsist by the land carriage wou'd be ruined, but it would disable a great many of the smaler farmers from keeping teams to manage and improve their own farm, who now can employ them at spare times in the carriage of salt to good advantage towards raising their rents, and consequently it would cause all the rents of those lands to fall. Neither can all the damage be foreseen, which would be occasioned by the overflow and destruction of meadow ground by their locks upon the river, which would occasion the fall of rents in the upper lands for want of a due proportion of meadowing, which as it is now is scarce sufficient.

The disadvantages to all this part of the country are innumerable, which your own reason will suggest to you upon considering what a vast number of people will be left destitute of means to get their bread, and what the consequences of such want would be.

John Partington, Northwich, to Sir Thomas Johnson. 27 May 1715 (draft).

I have been shown your letter that came the last post but one to cos. Hewitt, in which I find you intimate an information you have received of my having written to Mr. Yate, that you intend to divide the navigation of the river Weaver into 100 shares amongst yourself and friends. I have a shrewd guess from whence your information came. But the fact I positively deny, for I never wrote a title to Mr. Yate, nor even spoke a word to him anyway concerning the river since he has openly shown himself concern'd

for any undertakers in it. Nor have I put my hand these several years past to any petition, or other writing, for or against it.

I frankly acknowledge that I always was, still am and I believe ever shall be against the navigation by the undertaking of strangers, for I do conceive it most proper and reasonable, that if any benefit be to be gain'd by it (as I am of opinion there may be, besides the public good to the kingdom in generale), it is fittest that our own county should reap it ; and I make no question, but when they apprehend a fit time to go about it, (which I am apt to think will not be long), they both can and will go through with it, without the aid of foreigners, by which title I do not mean only aliens, but all such who are not inhabitants in our own county.

I doubt not, sir, but that you remember the time when you yourself brought, or assisted in the bringing in a Bill for that purpose, and that then you wrote for letters from this town to our representatives in parliament to use their interests for it.

Before that time I had heard of a project form'd by some persons (who thought fit to conceal their names as well as their design) for that undertaking. Nay, to go farther, I have seen a scheme of it, whereby it was to have been divided into 600 shares, whereof 500 were to have been sold (to repentance buyers, I suppose) at £25 per share, which (if I compute right) would have brought in £12,500. A pretty round sum. And the other 100 shares were to be termed maiden (or virgin) shares, to be kept as a fund to support all contingent charges. That a select number of the subscribers or purchasers (those in the secret, no doubt) were to constitute a court, or committee, with all rules, orders, and officers proper to erect and establish a compleat stock jobbing project. To colour the raising of so great a sum.[1] The work was calculated to stand in diverse : £1000—I don't exactly remember the sum but I think it was 9000 (which for ought I can learn is between 6 and 7000 more than it will require and less by above an half than the money proposed to be raised by sales of shares). But then again, to wire-draw sharebuyers the duties to be laid were to be of a bulk sufficiently proportioned to countervail that great pretended expense, with an encouraging profit.

How far, sir, they might hoodwink you in that project, or candy it over with specious pretences, I know not, but having it fresh in my memory when your letter came for us to write to engage our representatives to espouse the Bill, I thought the point deserv'd serious consideration. And I hope you may recollect that I myself thereupon made bold to write to you with entreaty to inform us of the undertaking, by whom carry'd on, upon what estimates of the charge of bringing the work to perfection, upon what foot of duty, and in generall to send us a speciman of the undertaking and a copy of the Bill, or to such purposes. To that letter you were pleased to return for answer that one Mr. Denn was consern'd and that if my cos. Hewitt or any friend of his would come in for some share, or shares, they might, or to that effect.

Here indeed we had an undertaker's name, yet one who was an absolute stranger to us, but not any scheme of the undertaking or copy of the Bill,

[1] It is not clear from Partington's punctuation whether he meant to write " a compleat stock jobbing project to colour the raising of so great a sum " or " To colour the raising of so great a sum, the work was calculated . . ."

and for my part I could not conclude otherwise, from the expressions in the letter, but that a division of it into shares was still the intent, and consequently I own I was of opinion against the Bill's going forward.

When an agent employ'd in the present undertaking was 2 or 3 months ago discussing me about it and persuading me to espouse it, I well remember I urg'd the particulars above as my reasons for discouraging, or at least for my own not concurring with the present proceedings, till I saw upon what basis it was proposed to be founded. But I soon perceived that that must be kept as secret as the nicest arcanas of state, and was never to come to light till it was thought a sufficient number of hands (from, in my judgment, as many inconsiderate heads) was got to carry it on (as was supposed), upon any terms, and against all opponents.

From my discourse with that person (the agent above mentioned) I guess the information you write of in your last letter took its rise, and perhaps by misrepresenting and misapplying to yourself, or other particular persons, what I spoke in generall. I very much suspect this is the case. Be it as it will, 'tis my satisfaction that whatever belief he may gain elsewhere, little is given to him here. But I am hereby fully convinced that 'tis really dangerous to speak one's sentiments too freely, tho truth, before some sort of persons. And I will further add that that person's character, I verily believe, already and hereafter will ever give a disrepute and discouragement to any undertaking, though in itself just and honourable, that anyone shall appear to be concern'd about. If my own necessary vindication has caused any indecent or disrespectfull expression to drop from my pen, I most humbly entreat your pardon for it, as likewise for detaining you so long (reading this tedious scrawl) from your more weighty affairs, which I have the vanity to hope your candour will grant to, sir, your most humble servant to command.

Peter Shakerley, Holmes Chapel, to Sir Thomas Aston. 1 June 1715.

The bearer can inform you that I receive yours sent by him in much company here (being the privy sessions for this hundred). I confess I am not a little surprized at the contents of it, and yet could answer the tart expressions therein if my disposition to amity did not incline me otherwise. When I was in parliament I served faithfully, and since I am out of it I resolve to be as easy as I can.

All my papers concerning the river Weever are with my goods at London, I have written several times to my friend there to pack them up and send them down to me, but hee is fallen ill, and not yet able to do it; and it is to be imputed as a fault in me that I cannot by my memory produce them or the contents of them to instruct others what they are to do?

The bearer tells me you desire to know from me whether you should send up a petition to the committee as on your own behalf; if you send up a petition it must not be directed to the committee but thus, viz. To the honorable the commons of Great Britain in Parliament assembled. This petition being presented to and read in the House is, upon the committment of the Bill (if the Bill is committed), referred to that committee, where the allegations therein being proved, a saveing clause may be received and made part of the Bill to save rights or to make good damages, which clause must be then

ready drawn to be offer'd to the committee, or it may be offer'd to the House upon the report of the Bill from the committee to the House.

Sir Thomas Aston to Langham Booth. 7 June 1715 (copy).

In the last I had the honour to write to you concerning the river Weaver I avoided mentioning any objections which had more relation to myself than to the publick wellfare of the county, but seeing the Bill has obtained so much favour as to be brought into the House, and having seen a copy of what the Bill setts forth, I find I shall be a particular sufferer by it, unless by your favour I can obtain a saving clause. The river from Frodsham Bridge so far as it runs along my demesne is navigable and farther, whereby I and my ancestors have always had the benefit of importing and exporting coals, brick, lime, stone, timber, or whatever else they had occasion either to buy or sell, now sir, though the power of Parliament is irresistible, I shall not be able to forbear thinking it a great hardship to pay tunage for what I and my ancestors have freely enjoyed. Nor can I see any reason why all persons should not be allowed free passage from Frodsham-Bridge upward so far as the river is already navigable, without being subject to or obstructed by the undertakers, their heirs or assigns. It being as unreasonable that they should obtain the sole command of the navigation exclusive of all others, in that part of the passage where they can find no just occasion of expence, as that the proprietors there should be deprived of the present benefit they now freely enjoy.

2. The landowners formerly thought persons had so little right to navigate in this river to the destruction of their wears and fishyards, that no longer since than in my grandfather's time I have bonds to him from all the owners of boats to pay so much a time for passage up the river along his demesne lands, and to make good any damage they should do to his fishyards. This privilege of fishyards may be thought inconsistent with the present design and a compensation may be made for it, but I make it my humble request to yourself and Sir George Warburton, since as I am informed you have the preparing of the Bill, that free passage on the river may be allowed to all boats, without paying duty for any loading they shall carry to or from any part of my demesne . . .

3. Give me leave to add one word as to the publick. I do not see in the Bill any care taken for sufficient security for the undertakers to make good the damages in case any should happen to the stone bridges, which, unless it be done, the county may greatly suffer. And it were but reasonable the justices of the peace in the county should be empower'd to assess the undertakers, their heirs and assigns, from time to time towards the constant repair of the stone bridges.

5. [*sic*] Moreover it is but reasonable that the undertakers should be oblidg'd to erect and maintain bridges for the use of the proprietors of such lands as they shall cutt and divide to make the course of the river more streight and direct, and others for the use of such persons who possess lands on both sides of the river and have at present tollerable passage over the fords, whereof they will be deprived either by cutting the bottom deeper or by raising the water higher.

4. Neither do I see in the Bill any security to be given by the undertakers to make good the damages that may be done to the land in case they should fail in their undertaking, or if that the damages should prove greater than at present are or can be foreseen. Of what abilities the undertakers are, I know not, but I am sure if great care be not taken, the landowners along the river may be left in a deplorable condition without any remedy.

6. I know not who I could better address my letter to for a remedy in these particulars in case the Bill should pass, which I hope it will not, and I believe you will find it not in the general desire of the country that it should.

June 17. You will see by the date, this was written ten days ago, but I was in hope I should not have occasion to send it. But by the Bill you were pleased to send me and which I hear this day has had a 2nd reading, I find it necessary to make this request to you. Who must maintain the numberless poor, God knows. Twill be a heavy blow to the country.

William Watts to Sir Thomas Aston. 17 June 1715.

On Tuesday last the Bill for making the river Weaver navigable was read a 2nd time and comitted. The comittee will hear councell on that day 7 night (being the 21st of this instant). Mr. Patton of Warrington writes that the projectors have a great many friends, who are very industrious. Sir Richard Grosvenor, I am told, refuses to preferre the citty petition for want of due advice and instructions from them, which I am much concerned at, and have this moment sent to Mr. Cholmondeley's clerk of his saltworks to wait upon the recorder of Chester and gett full satisfaction for Sir Richard Grosvenor and Sir Henry Bunbury therein. Mr. Vernon and I are going to Northwich to-day to try if wee can gett a petition from that town that if the Bill bee likely to pass, that there shall not bee a perpetuall tonnage settled, butt that it bee first to reimburse them, and then appropriated for the generall advantage of the county, and then the projectors are not (I believe) soe publick spirited as to use any further endeavours to effect itt. If you approve the inclosed undertaking to reimburse the charges that shall necessarily bee expended in making your defence, you'd be pleased to seale the inclosed, as the others have done. There will bee noe danger of any differences in settleing your proportions. I will then try to gett it signed by our proprietors of saltworks here and send it to Mr. Acton of Namptwich. Mr. Vernon will undertake for Lord Barrymore likewise. And I hope the charges will not be much amongst you.

Langham Booth to Sir Thomas Aston. 25 June 1715.

In case the Bill for making the river Weaver should succeed, which I have now some reasons to believe it may not att this time, because I saw yesterday a petition in which the making the river navigable was not disliked, but only that it was thought better that the county should undertake it, and then the duty would in a great measure cease when the work was compleated, which to me is extreemly right. But if the Bill as it is should pass, there is no colour of reason that you or anyone else should pay any duty for lockage so far as the river is already navigable. I think the Bill is indeed deficient in not taking notice of a provision for any damage that may be

done to the stone bridges or the fishyards that are upon the river. The Bill does say that the undertakers shall maintain bridges for the use of proprietors of such land as they shall cutt or divide, but has taken no notice of the inconvenience that may accrew to persons that hold lands on each side of the river, by making the foords deeper. I shall do my small endeavour att the committee to make the Bill answer as near as possible to every gentleman's desire, and whoever does me the honour to communicate their thoughts to me, I will to the best I am able serve them.

Lord Barrymore to ? Sir Thomas Aston. 5 July 1715.

I gave you a trouble of this kind some time ago and now am to tell you that yesterday the committee mett. We had much feuding and proveing and at last we adjourn'd for 15 dayes. Tis but too plain the county is to have this Bill cramn'd down their throats to make a fortune for some broken fellows, with a handsome gratuity to a certain knight [1] and some others that are sollicitous in this matter, but I hope we shall disappoint 'em. The impeachments we expect to morrow or next day at farthest, but 'tis said for certain the Parliament will not be up before Michaelmas. I shall not attend 'em longer then to know the fate of the river Weaver.

R. Heron to Sir Thomas Aston. 2 August 1715.

The Bill for makeing the river Weaver navigable is adjourned till this day two months, which is in effect throwing out the Bill. Votes in the committee 2 to 4.

William Watts to Sir Thomas Aston. 2 August 1715.

I have att last stay'd (notwithstanding the new proposealls and letters of your neightbouring gent, of which wee had noe advices) to see an end of your Weever navigation, for itt is this day (by the assistance of your freinds) adjourned for 2 months. The projectors and managers are now very much dispirited, butt seem to bee in hopes that the county, which they have putt to soe great an expence in freeing themselves from such uncommon injurys and abuses, will reimburse them £400 which they say they are out of pockett. Butt that seems to mee to bee butt an untoward security for itt. I begg pardon for writeing with this freedom.

Edward Norris to Sir Thomas Aston. 19 January 1720.

This day the House of Commons order'd a Bill to be brought in to make the river Weaver navigable. If in the progresse of the Bill through our House, I may be any wayes serviceable to your interest shall be glad to receive your instructions.

Charles Cholmondeley, Vale Royal, to Sir Thomas Aston. 5 February 1720.

You will see by the enclosed the pretty state the navigation affair is in. Whether my Lord Barrimore's coming up will give a turn to it, I know not. However my father's letter hath determined me to goe up immediately and at least attend my own petition and see that the rest are presented, but I do

[1] This presumably refers to Sir Thomas Johnson.

not see what the county will doe without some little subscription among our selves (since we can't have a meeting), to which, if I hear from you that anything can be done here, I shall readily contribute any proportion that can be thought proper for me, and shall be glad to receive any directions, which I shall punctually observe. I hope to hear from you at my father Pitt's house in Pall-Mall, and if you have not found the draught of the abstract you formerly made of your father's papers, yet would you take the trouble of taking out the most material objections, and writing your thoughts to my Lord Stanhope upon this affair. I should be mighty glad to carry it up to him, since I am sure the freindshipp for and opinion he hath of you would engage him to consider the publick reasons against the Bill, as much as I can doe upon it affecting my private interest. If therefore you would state a short case in a letter to him and lend me the book again to take up with me (and I promise to return it you safe) to help me in the proper cloggs, if we can get them.

Sir Thomas Aston to Charles Cholmondeley. 5 February 1720 (copy).

The condition I am in at present, by the return of my gout on Monday last, makes me uncapable of doing any service in the present affair, having neither rest nor ease, day or night. I believe there is but little hope of a subscription, unless it could have bin pretty nearly computed what the charge might amount to and what number of subscribers could be got, that they might know what each man's proportion would be, and this cannot be done unless some active, industrious, interested person took the solliciting part upon him. For I don't believe any will subscribe to be at the charge of opposition at random without knowing who will take his part or what his share will be, and not be left at the mercy of agents to employ who and make what bills they please.

I perceive by the enclosed you sent (which I think is from Mr. Watts) that he is uneasy he is not paid. I am as uneasy as he, and shall be much more uneasy to pay interest for a debt which is continued so much against my will, and I think whatever others have to say for themselves, I may say he is in the fault concerning it, for in his letter to me he said there would be no difficulty about adjusting the proportion. If I had known mine he had bin paid long since. I never saw any accounts of the charge, but heard there were very extravagant ones. Nor should I have looked at any account from Broomfield or any one else but Mr. Watts. I know not who set the others to work. I ask pardon for this excursion which I took the liberty to make because you will soon see Mr. Watts, and not to give you any reason to think me unwilling to contribute towards opposing the navigation, but I would see how those will tax themselves who are likely to be the greatest sufferers. For if they do not exert themselves in opposing it, they cannot expect that others will do it for them.

It is worth their while in point of interest to withstand it though others did not joyn them. But for my own part I love my neighbours so well that I will at any time subscribe more for their defence than the damage I can sustain by the navigation. I should have bin proud of an opportunity of addressing my Lord Stanhope, though I should have thought myself unquali-

fied for it even in my best capacity of thinking, but my present pain turns all my senses into feeling. Nor could I have represented the matter so effectually as you can by word of mouth, which is much to be preferred to writing where practicable. I have sent you my father's book which I shall expect safe from you again, that when we are half undone by the navigation, his endeavours to prevent it may appear. I hope among the clogs you will not forget to insist upon the 3 rates for tunnage according as the work is carried on, there not being the least reason why they shall have the full rate at the beginning of the work and which I am verily persuaded they never design to finish. But I believe they will not be very stiff about the tunnage, for let that be never so small they can make amends by the monopoly, which is the true end of their design and as unavoidable as fate if the Bill pass.

S. Cholmondeley to Sir Thomas Aston. Sunday morning (? 7 February 1720).

Mr. Pitt has, upon presenting my brother's petition, moved to have it heard at the bar on Thursday next before the Bill is read a second time, and obtained that point, which is a delay of eight dayes . . . If you . . . have an occasion of letting Mr. Hamlet Yates know that I should be glad if he could meet me there with the county petition, pray be pleased to tell him so.

S. Cholmondeley to ? Sir Thomas Aston. 14 February 1720.

I trouble you with this to inform you that the Bill is put off till Thursday next come seven night, at the request of my brother's friends, which second delay seems a good omen. Mr. Yates and I satisfied Mr. Glegg how destructive this would be to his brother Lee of Wincham's saltworks, and how basely Vernon dealt by them, having sent down a false copy of the clause relating to Wytton-Brook where they stand.

William Watts, London, to Sir Thomas Aston. 25 February 1720.

I begg pardon for giveing you this interruption and butt telling you halfe a story at last. The House of Commons have beene most of this day upon the navigation of Weever. I thinke our neighbour Mr. Vernon, though he talks bigg, is now a little afraid of burneing his fingers. The common proofes against a navigation now a days seem wholely unregarded and noe releif is expected that way. Soe wee proceeded upon a petition of Mr. Cholmondeley's for trumpeing a petition obtained a year and a half agoe upon us, for makeing the river Weever navigable from Frodsham Bridge to Northwich, which they have now converted (since itt was signed) to Winsford Bridge both by the dead and living, and it stands in statu quo—butt I believe the House will not suffer it, for wee have proved itt by 3 persons, that when they signed that very petition upon which they have grounded this Bill, that the navigation was only to bee from Frodsham bridge to Northwich and not to Winsford bridge (as they have now putt it), which is corroborated very much with razures in the style of the petition, where itt was necessary to alter itt. Wee did not goe quite through with our testimony, butt received noe damage by any cross examination of our witnesses on any account. Soe that I am not without hopes of giving you a better account of this affaire on Saturday night.

William Watts to Sir Thomas Aston. 27 February 1720.

Wee had another hearing about the river Weever this day and Mr. Fletewood's agent had a mind to make some proofes to shewe the damage hee wold sustain in his meadow grounds, which I dissuaded them from all I could, butt they insisted, since they had the two Hawleys that viewed the river and meadowes in towne, they should be examined and accordingly they were. The younger Hawley (the nephewe) was sett first to the barr and terrible worke hee made, and would not produce the mapp of the river and meadows he came to prove, butt talked idly of things of his own knowledge. Being asked about the depth of the river, hee say'd hee measured one ford in September 1715 and itt was butt 8 inches deepe. The councell of the other side asked him what moved him to measure itt then, but hee cold not, or wold not, tell them, though itt was when hee was measuring the river and takeing the rise and fall of itt. Mr. Lacon (who is concerned for Mr. Fletewoode) bidd him produce the mapps, by reason hee drewe the House upon us, butt the fellowe was soe infatuated hee withdrewe without doing itt. Then they sett opp old Hawly, who neither of them wold speak to be heard, butt the Speaker had what they said repeated to him and was really very angry, cold make nothing in the world of the mapp, butt told them if the water was raised 4 foote by theire locks, wold throw itt out of the banks, butt believed 3 wold not. In short I never saw two such fooles sett upp for wittneses in my life. Then the councell of the other side opened with a greate deale of ill manners and reflections ; and then the House adjourned us over to Monday morning next. These wittneses of Mr. Fletewode's have in my opinion very much altered the disposure of the House towards us. Soe what our fate will bee knowe not, only beleive these projectors will not bee undertakers, if there bee a navigation. There never was anything fairlyer proved than the alteration in the petition, and yett the House shewes noe spiritt or resentment which is very unaccountable. I hope wee shall make an end on Monday.

S. Cholmondeley to ? Sir Thomas Aston. Monday morning (? 29 February 1720).

The debate was too long for one day and was adjourned upon Thursday till Saturday, but my brother had proved the petition was altered after it was sign'd, which, you may remember, sir, I gave an account that I had been so lucky as to discover and what the alteration was, when I had the honour to see you at Aston last. I cannot, after this, doubt our success.

William Watts to Sir Thomas Aston. 1 March 1720.

I find the present disposition of the House of Commons is for passing all manner of Bills for navigation, and thereupon they committed the Weever Bill yesterday by a majority of 25—for the Bill, yeas 92—nays 67. Wee produced three wittneses of unquestionable reputation that proved the style of the petition was only from Frodsham bridge to Northwich, when they signed itt, butt was since altered to Winsford bridge. I saw nobody that heard (that I cold discover) that our evidence was in any wise touched, butt however wee had noe greate benefitt of them. Our letters are (of late) soe often opened, I dare give you noe further account. I beleive Mr. Chol-

mondeley will try whether the Lords don't think it adviseable to releive him in soe greate hardshippe.

William Watts to Sir Thomas Aston. 12 March 1720.

I think the undertakers of the Weever navigation (on Tuesday last) did a very odd thing, which soe farr affects your interest, that I cold not excuse my selfe in not acquainting you with itt. There was a power in the first Bill for all persons to use any boates &c. in or upon such parts of the river as shold lye betweene the lowermost locke and Frodsham bridge, which wee shold have taken care to have better described (if wee cold) in the Lords' House, by reason they wold (I suppose) have clapped a lock neare the bridge foote in order to have entituled them to tunnage where they make noe manner of improvement of the river, butt nature has made itt navigable itt self, butt to prevent any disputes of that kind, they have struck that provisoe quite out and allowed you noe liberty of using your own river your selfe, without any amendment of theirs, which I take to bee one of the greatest hardships they offer. The undertakers they have nominated are Mr. Egerton of Olton, Mr. Oldfeld of Leftwich, and Mr. Amson of Eardshaw. I haven't a list of their Commissioners, else wold have sent itt, butt they are such a gang as you never saw. There is Lord Barrymore, you, and I think 6 or 7 baronets left out and abundance of the greate.[1] Wee think to move on the 3rd reading of the Bill, which is adjourned to Tuesday, for to have their Commissioners a little adjusted, and leave all the rest to the Lords.

[P.S.] Wee will not faile offering a clause that you may still have the benefitt of the river that you and your anncestors have had.

S. Cholmondeley to ? Sir Thomas Aston. 26 April 1720.

As thoughts like yours, sir, ought not to be interrupted without good reason, I would not give myself leave to write before I was able to give some account how the Bill is likely to go, and I think I may now affirm it will come to a good end, but that combination of the projectors for 6 Bills of this nature had worked up the temper of both Houses to such a love of navigation that I assure you, it is a mark of peculiar favour to be suffer'd to speak against any Bill with that title ; so that I do not expect to throw out this Bill without engaging to bring in another, but that engagement will have such restrictions that our present navigators will infallibly change their side. In short, sir, I think it will either be quite thrown out, or put into our own friends that they may make the best of it.

S. Cholmondeley to ? Sir Thomas Aston. 10 May 1720.

As I am sure the publick good is the first motive of Sir Thomas Aston's actions, I am assured he will not be displeased with us for playing a saving game, when a winning one was not in our cards. The many Bills which have passed for making rivers navigable had made such an interest that we could only throw out this Bill upon a promise that we would bring in a good one

[1] This word is very difficult to decipher. It is just possible that it should read gentry.

to the same effect next sessions; and even upon that condition, we only threw it out by 4 after a hard struggle this day. Your business therefore, sir, is still to continue those endeavours you always have with so impartial a candour used for your country's good, to fulfil the task the government have laid upon us. They say that our salt trade may be greatly extended by this navigation when they have (by a duty or some other expedient) secured the manufactured salt against the rock, which they have laid down in the House as absolutely necessary before this river is made navigable. As no body is, or can be, as capable as you, sir, to direct in this affair, so you are the first my brother will beg assistance from.

[P.S.] I am in too much hurry to pretend to write any particulars. I wish I may have come up to common sense. I beg, sir, that you will, as much as you can, prevent the ill turn people may perhaps endeavour to give this, that our consultations about it may be with that temper and indifferency to particulars which is to be wished in these cases.

APPENDIX III

DOCUMENTS, 1757 to 1761

All the following documents are among the Arley MSS.

A. The Liverpool Merchants and the Weaver, December 1757 to April 1758

Thomas Gorst to Sir Peter Warburton. 15 December 1757.

As to the opinion of Lord Derby and Lord Strange, that if this affaire can be managed without an application to Parliament, it will be the most adviseable, as no one can foretell what a Parliament may do on plausible allegations for the benefit of trade, I really think the reasons they give are very strong and of such weight that they merit the greatest attention, and their advice be followed, if practicable, and I really thinke it is. For you'l please to consider the great complaints have been against the ill management of it by the present undertakers, and that theire powers are too great, and the Commissioners too little, as they have not by the Act proper authority vested in them to controul the undertakers. Now the present undertakers, being willing to resign on receiving the £17,000 which they claime as a debt due to them, they may assign that debt, and a further summe may be borrowed with the consent of 9 or more Commissioners by the present Act, to compleat the undertaking, and on the undertakers' resignation or refusal to act, the Commissioners or any 13 or more of them at theire yearly assembly are empowered by this Act to appoint new undertakers, who may be bound to carry on and manage the navigation, under the direction of the Commissioners, by a proper deed to be prepared for that purpose, and whilst the Commissioners and undertakers act in concert I thinke they may do anything that is fit to be done, without applying for a new Act for vesting further powers in the Commissioners, which may be attended with some hazard to the county. It not being impossible that the county may by a new Act be put on a worse footing than they are by the old one, and therefore if the desired ends can be obtained under that, which I think not impracticable, why should any risque be run by applying for another ? These are my present thoughts which I submit to your better judgment . . .

Sir Peter Warburton to Thomas Gorst. 15 December 1757 (copy).

I have sent you some clauses which I desire may be inserted if the Bill goes forward, but I would fain keep our business out of Parliament if possible. Suppose the gentlemen who have entered into the subscription pay the money at a day appointed to the Commissioners, and the undertakers meet them at the time and place appointed and deliver up the navigation into the hands of the Commissioners upon their, ie the Commissioners, paying the undertakers their demand of £17,000, and then the Commissioners, by a proper instrument ready prepared, give the subscribers security upon the navigation

and take the management into their own hands and appoint a sufficient person to look after it, what occasion can there then be to hazzard the revertion by going into Parliament ?

Sir Peter Warburton to Lord Strange. 17 December 1757 (copy).

Mr. Gorst has sent me a copy of a letter he received from Mr. Blackburn . . . Hitherto Mr. Gorst has heard nothing from Liverpool, which a little surprises me, because from what passed between the Liverpool gentlemen and us Commissioners at the last meeting and just before we parted . . . I believed they would have gone on in friendship with us, if we applyed to Parliament for power to controul the undertakers and, if they would not do their duty, to be enabled to pay them off and elect new undertakers in their stead, which by the present Act we have not a power of doing without their consent. Or if we could find out any method of perfecting the navigation without going into Parliament, I thought the Liverpool gentlemen would have remained easy according to their declaration to me at our second meeting in the audience of all the Commissioners present . . .

My lord, by the present Act the Commissioners have power to appoint new undertakers upon the resignation of the old ones, or upon their refusal to act, and any nine or more may take up a further sum to compleat the navigation. Therefore we apprehend the purpose is fully answered without going into Parliament, the undertakers having consented to receive their money and to resign the navigation into the hands of the Commissioners, if they allow them their demand of £17,000, which the Commissioners agreeing to, a subscription for raising the money has been opened and is full, and the undertakers will be paid off the 24 July next and the navigation resigned into the hands of the Commissioners, who are determined to see the river put under proper management and the navigation made perfect as soon as the nature of the thing will admit of. And to this end there is £1000 subscribed over and above what will pay off the undertakers to be ready to answer any present occasion, and we have another £1000 in hand raised by the tonnage of this last quarter of a year's navigation, which we presume will be as much as would have been laid out in one year on the river if the Liverpool gentlemen had the management of it.

Lord Strange to Sir Peter Warburton. 17 December 1757.

I received your pacquet by your servant who says it requires an answer, which I can't well find out, but own I don't see at present how you can avoid Parliament, for if the undertakers have now too much power and the Commissioners too little, the case will be the same when the old undertakers have sold to the new ones. I expect soon to see the Liverpool gentlemen and to hear from them what they want to be at and you shall then hear further from me.

Sir Peter Warburton to Lord Strange. 19 December 1757 (copy).

I am sorry my silly boy gave you the trouble of writing an answer to my letter for I expected none . . . I find by your answer that Mr. Gorst or I did not write plain enough to be understood, wherefore I sent a messenger

to Mr. Gorst this morning to desire he would explain the matter fully and he has sent me the enclosed letter, which I beg leave to refer you to and hope it will satisfy your lordship that we have no immediate occasion of going into Parliament.

The Liverpool gentlemen have sent their memorial to Mr. Gorst . . . We both think the complaints those gentlemen make deserve regard and it is the intention of the Commissioners to redress them, and if the gentlemen of Liverpool will be so good to observe whereabouts and in what manner we design our locks, I am persuaded that their grand objection will be removed and all others of lesser moment shall be taken due care of.

Lord Strange to Sir Peter Warburton. 20 December 1757.

I am favoured with yours this morning, and by Mr. Gorst's letter I find I understand his meaning right and proposed it to the Liverpool gentlemen, but I find them strongly enclined to a new Bill, and I apprehend they mean to have the navigation, if they can, put upon some different footing to what it was by the first Act, and to have it made to carry boats of 60 or 80 tons. I told them if they attempted to make any sort of addition to the Act, I should certainly be against them, and I thought an Act was not at all necessary, but that if they would try what I had already proposed (viz. Mr. Gorst's last scheme) and if the Commissioners did not compleat the navigation according to the original intention of the Act, I would then join them to get a new Act, for that I was of opinion that the navigation ought to be compleated but not in any shape extended. I recommend temper and candour to them at the meeting, and I hope the Cheshire gentlemen will also think that business can't be effectually carried on without them, for between you and me the Liverpool people think they were a little cavalierly treated at the last meeting.

Liverpool proposals delivered to Lord Strange, 20 December 1757. At a meeting of the merchants of Liverpool to consider of proper means to redress the grievances occasioned by the bad and ruinous state of the Weaver navigation.

It is proposed by the Liverpool merchants, who were lately in treaty with the Cheshire gentlemen about the Weaver navigation, that if the Cheshire gentlemen apply to Parliament for a new Act and will construct the navigation as follows, by which method only it can be made to answer the great and extensive trade depending on the same, they acquiesce in the payment of fifteen pence per ton for fifteen years and twelve pence per ton afterwards. Or if the Cheshire gentlemen don't chuse to undertake and construct it in the manner proposed, the said merchants are willing to do it for the same tonnage, pay off the present debt, and also £800 per annum to the county and insert all such clauses for the security of the landowners and such other clauses as are mentioned in the instructions received from Mr. Cholmondeley and the rest of the Commissioners at Northwich.

1st. To build the lowest lock so far below the place called Pickerings as will enable flatts to pass into and out of the same at common neap tides.

2nd. To construct the lowest lock and all the works above in such a

manner as to have six foot water [1] in the dryest season through all the navigable passage between the said lowest lock and the Northwich Lock, and that the said passage shall be so provided for as not to be stopd or obstructed by land floods from being navigable by such flatts as now generally use the said navigation.

3rd. To make every lock below Northwich Lock eighteen feet broad clear space between the walls in the narrowest part thereof,[2] and that the said Northwich Lock and all the locks above be made also the same breadth when each of them shall be rebuilt.

4th. To perform and perfect all the above works and improvements below Northwich Lock in the space of four years next following the first Michaelmas after the Act of Parliament shall be obtained.

5th. And in case of non-performance to have a clause to empower the Commissioners to take possession of the locks and to oblige the undertakers to perform the same.

As these terms are such as (was the navigation their own property) the Liverpool merchants would chuse to perform, and as this navigation is of such importance to trade and hath of late years been very insufficient, in case the Cheshire gentlemen will not undertake to improve and perfect it in the manner before proposed, or suffer the merchants of Liverpool so to do, they should think themselves inexcuseable if they neglected to apply to Parliament to obtain such redress as the House shall think fit.

Lord Strange to Sir Peter Warburton. 25 December 1757.

Since I heard from you last I have been with Messrs. Cunliffe, Blackburne, Tarleton, Colquitt, and Ashton, and they have left with me a proposal which they desired me to communicate to you, and which you will find enclosed, for your consideration against the next meeting of the Commissioners. I pressed all I could the opinion that this might be done without an Act of Parliament, but they seem to differ with me, and one of their objections I own has great weight with me, viz. that you can't compell any man to sell his land to the use of the navigation as you can't empannel a jury but every member of it must be interested in the reversion and consequently incapable of serving as a juryman. By what I can find, their scheme would be to have only three locks and one wyre between Northwich and Frodsham Bridge, but then they would make a new cut from about the Hop Yards to fall in about Dutton Bottoms, and another across the land in the bottom to join the river on the east side thereof. They seem to wish the Commissioners would appoint a committee of 3, 4, or 5 to meet them and try to settle, if they can, every thing on an amicable footing for a Bill, for they say (and indeed I think with truth) that in numerous meetings it is almost impossible to do any business. If this proposal were approved, I mean of a committy, the thing would soon be brought either to an agreement or to a resolution to treat no more, and each side would then be left to follow their inclinations in case of disagreement, or if they could agree would have nothing to do but draw up their Bill. I have marked in the proposals what seems to me most objectionable, since

[1] Is it practicable (note by Lord Strange).

[2] Insert as below when each of them shall be rebuilt (note by Lord Strange).

I began my letter, and I do not know what you will think of limiting the time for finishing the repairs being limited as in the 4th article, though I own a deal may be done in four years . . . I should add that I explained to them as well as I could what were your intentions from the map you sent me, which they owned would mend the thing much, but they think their own scheme a better and cheaper, of which they are of opinion they could convince a small committee of Commissioners. On the whole I think it is necessary something should be done to secure the navigation, and I think it is of little importance which of two effectual plans is followed provided the management of it is left in the hands of the Commissioners.

Peter Brooke to Sir Peter Warburton. 27 December 1757.

. . . I forwarded the Leverpool proposals and Lord Strange's letter as you desired to Samuel Egerton. I must own it appears to me by the proposals what I've always apprehended, viz. that the Leverpool gentlemen would either have the navigation compleated their own way, or give opposition to any other scheme. Yet I can't think there is a practicability of making a cut that shal be six foot deep at low water without extream great prejudice to the adjoyning lands, and though the tunnage is greatly increased on account of the war, when that ceases the tolls of course drop again. And the old navigation put into good condition with the addition of the two new locks you mentioned would . . . be sufficient to carry on all the trade that wil be on the river. What Lord Strange mentions to have weight with him about juries, I'm not quite clear in, whether that objection might not be answered, for even though its said a party concerned cannot serve on a jury, I'm not lawer enough to tell whether I propose a thing that is practicable. But supposing we could not have a jury in our own county, could not we have it out of an adjoyning one by a proper application to the court, and though it might be attended with more expence yet as it would so seldom, or may be never, happen, it might in some measure answer the objection. But whatever gentlemen agree to either at your house or at a publick meeting wil have my concurrance, but let us keep out of Parliament if possible.

Ralph Leicester to Sir Peter Warburton. 28 December 1757.

I am sorry my health will not permitt me to wait upon you to day, for though I am not ill I am so weak and tender after a fitt of sickness that I dare not stir out this cold weather.

I have for many years observed the business of the river Weever so ill conducted by a numerous sett of Commissioners ; what is approved at one meeting is disliked by a different sett of gentlemen at a subsequent meeting, and all sort of work done at the worst hand. For this reason it was my opinion and still continues to be so, that the best thing that could be done for the county would be to vest the perpetuity of the river in the Liverpool gentlemen for a valuable consideration.

George Legh to Sir Peter Warburton. 1 January 1758.

I am glad Lord Strange is well disposed to serve us. If to-morrow is like to-day I shall not venture to Northwich. My rheumatick complaints will

not admit of such severe weather far distant from a fire, and I take it for granted that there will be a number to keep up an adjournment. I presume there will scarce be an appointment of undertakers at this meeting. Whenever that is done, I presume they will be such as can and will occasionally look over the work, for to the want of proper inspectors impowered to direct has been owing the great neglect and immense expenses.

George Legh to Sir Peter Warburton. 5 January 1758.

I . . . am obliged to you for a sight of the plans of locks and the present state of them. I am no judge of the form locks ought to be constructed in. It plainly appears to me that the works in general are in bad condition, and that will give some handle to the Liverpool merchants' complaint, but what is more interesting, the expense of repairing the works must be very great, especially if the river is to be made at low water 5 feet deep. The charge of such an undertaking will greatly increase the debt, and though it has been computed that the debt now upon the river may be discharged in 12 years time with the ordinary annual expences, I imagine when matters are thoroughly considered, no one will undertake that the county shall receive any benefit for 20 or 25 years. And I own I wish still that an agreement could be made with the Liverpool gentlemen, and that it might be proposed to them to pay £1000 and the county to quit all claim . . . I think the word trade will some time or other take the profits from us or at least considerably reduce 'em when the work is compleated and the debt paid. These have been my sentiments and I have yet seen no reason to alter them Therefore I own I should be glad to have an accomodation on the best terms and take a certainty for an uncertainty.

Thomas Gorst to Sir Peter Warburton. 25 April 1758.

Last night I received a letter from Mr. Cholmondeley wherein he inclosed me a copy of one he had written to Mr. Blackburn of Liverpool, on a complaint made by Lord Strange and Sir Ellis Cunliffe on account of the inactivity of the Commissioners of the Weaver navigation . . . I send you inclosed a copy of his letter to Mr. Blackburn, which I think more complaisant than there was occation for him to write to that man, who in my opinion showed more chagrin upon the disappointment he and the other Liverpolians met with about the navigation, than any of the rest, and seems now to be working in the dark in order to win over Lord Strange . . . I expect the Liverpool people will not let you be quiet, but will be alarming you as often as they can . . . You may depend upon it, you'l be narrowly watched, and all occations of complaint made use of, which makes a steady and resolute conduct absolutely necessary. Mr. Pownall was with me on Sunday. I represented to him the necessity of carrying on the works with all possible expedition, and getting a number of lands for that purpose, or the blame would lye at their doors, as they had full powers given them.

(B) The Difficulties of the Commissioners, October 1758 to October 1759

Thomas Gorst to Sir Peter Warburton. 8 October 1758.

I have received a letter from Mr. Jonathan Patten, who saies the undertakers apprehend that there is no necessity for their attendance at the annual meeting at Northwich on Wednesday next, as a resignation may be sent to them to be executed in the meantime. This might be done, but an inconvenience may possibly arise from it in case it shold happen that there shold not be 13 Commissioners at the next meeting . . . There are 9 of the Commissioners dead and it will be proper to think of the like number to supply those vacancys, who should be persons aware and likely to attend, and they might have notice to attend on Wednesday, and as soon as they appeare they may be elected, and join in appointing undertakers. I enclose a list of such as I have thought of. But you may perhaps think of others more proper than some of these, and I will give notice to such of these as you shall direct.

[The list]

Sir John Stanley	
Mr. Parker	a subscriber [1]
Mr. Moreton	a trustee for the subscribers [1]
Mr. Heron	
Mr. Allen Holford	
Mr. Robinson of Whatcroft	
Mr. Edmund Taylor	
Mr. William Seaman	a subscriber [1]
Mr. Vernon	a trustee [1]

Thomas Gorst to Sir Peter Warburton. 9 October 1758.

. . . As you did not seem inclined to concern yourself about any of the persons whose names I sent you, it would have been wrong in me to have given any of them notice to attend. All I aimed at was to secure a sufficient number at the meeting.

Report of Thomas Dean, 9 January 1759.

Isaac Taylor master of the Swan flatt came up the river to Saltersford and run against the lower gates and drove them open about a foot the lock was full John Pickering and I had directly shut the uper gates I could not see that any thing was broken.

Henry Berry, Pickerings, to Sir Peter Warburton. 13 March 1759.

The breach is not so bad as was represented to you. If the weather hold good I think we can make it good in about three or four days time. It is a place which was cut to take of the water when the cannall was cutting, and being newly made up, the earth being loose and the fresh coming sudanley,

[1] These descriptions were added by Warburton.

the water got over before it could be raised. Mr. Garret says he had people there for that purpose but the sudden rise of water prevented them.

Thomas Hough, Pickerings Lock, to Sir Peter Warburton. 13 March 1759.

Respected landlord,

pursuant to thy request I went to view the breach by the lock and find it tryfling to what our neighbours represented friend Berry is upon the spot who is in hopes to stop it in a few days its aboute 5 roods long and 12 yards wide at top. I am with due respects thy respectfull tenent.

[P.S.] Excuse the shortness of this letter it being all the paper I could have.

Thomas Garratt to Sir Peter Warburton. 15 March 1759.

We have stop'd the breach out of the new cut to the river and made a secure bank. We had 50 men imployed in that work two days at 14*d*. per day £5 16*s*. 8*d*. The flat that was drawn into the breach sail'd into the cutt and receiv'd no damage. 15 flats went through the lock in one tyde of ebb the day we stop'd the breach. To all appearance the lock, ware, and cut will stand very well.

Peter Brooke to Sir Peter Warburton. 15 March 1759.

There is most certainly (for one year at least) a stop to the navigation further than Northwich, which I should apprehend will be of detriment to Winsford during that space of time and of benefit to Northwich as the proprietors there, could they agree amongst themselves, would in a great measure command the trade, til a new lock was built again.

Peter Brooke to Sir Peter Warburton. 17 March 1759.

I don't apprehend the loss (some little inconvenience it may be) to Winsford will be so great as at first they imagined, for I recollected what Mr. Egerton mentions in his, they may convey their salt by water to the lock (I forget the name of it) just above Northwich, so they would onely have land carriage from thence.

Hugh Warburton to Sir Peter Warburton. 24 March 1759.

I was this day favoured with yours and I should be very sorry to give the least obstruction to the perfecting the navigation as will appear in a letter I wrote to Mr. Heron in answer to the Commissioners' letter, but from the account I have had since from my agent Mr. Weston, the pounding of the water to such a height will damage the rockpitt, if not destroy it, for give me leave to inform you sir, that when ever there is a flood in the river, the water always increases in the pitt, therefore what must it be when the water is constantly kept up to such a height, which will be equal almost to a flood. The distance between the river and the pitt is but a few yards and the earth very loose, for this reason my father opposed the making the river navigable, and the clause in the Act of Parliament, which cost him above a thousand pounds, now stands as a security against what the agents wants to be doing. The agents that are imployed upon the river saying that the raiseing of the

water will not damage me, will be but a poor satisfaction when I have lost my pitt, them people don't care what mischief they do, so they get employment. I shall write to Mr. Weston to attend the gentlemen, if he be in the county . . . As to Mr. Hunt, who is agent to Mr. Ashton, he is not to be regarded much on this occasion, for if the pitt was destroyed, perhaps the better for Mr. Ashton. In looking over the Commissioners' letter, I find the agents there propose raiseing the water about 4 feet, but my agent says it will be raised 6 feet, which will be sufficient to drown my pitt. Now dear sir, would you trust your property to such people saying so and so . . .

Hugh Warburton to Sir Peter Warburton. 27 March 1759.

You say in your letter to me that the agents have assured you that the pounding up the water by erecting a new lock in Anderton will do no damage to my pitt, perhaps it may not, but I am unwilling to run the risque, only from their saying so. It is true my rock-pitt is an old one, but last year I lay'd out one hundred pounds in making it as good as it was at first. Mr. Ashton, a considerable merchant in Liverpool, is my tenant. He took a lease of this pitt for 21 years at the yearly rent of £200. Will the Commissioners accept of Mr. Ashton for their tenant, and give me security out of the profits of the river for the remainder of Mr. Ashton's term, which I believe may be ten or eleven years to come ? This I think is a fair proposal.

Hugh Warburton to Sir Peter Warburton. 7 April 1759.

I have been honoured with a letter from the committee of gentlemen appointed for the management of the river Weaver. I beg leave to return you and the rest of the gentlemen my most respectful thanks for their great civilities shewn to me in secureing my rock-pitt from any hazard which might have happened, by fixing the lock in another place, which I hope will be equally serviceable to the navigation and no ways prejudicial to me or any other persons.

Thomas Gorst to George Heron. 4 October 1759.

In the situation I am as one of the 3 trustees for the subscribers of £18,000 into the Weaver navigation, advanced on my recommendation, it will be expected I should give them some account of things which have occasioned murmurings amongst them and the traders on the river, more particularly the upper part of it between Northwich and Winsford. And all correspondence between Sir Peter Warburton (the principal director) and me, having been entirely broke off ever since the last annual meeting, for which no doubt he had his reasons, though I may not have penetration enough to find them out, I beg you'l give me leave to apply for information through the same channel he has cut out for sending messages to me, when he wanted anything to be done by me that he would not ask himself.

I have been asked when the subscribers may expect to be paid their half year's interest due the 24 July last, some of them being in want of it, and to prevent uneasiness I have paid some money on that account, and as an encouragement to their subscribing I had told them their interest would be punctually paid, which I have lately been put in mind of, and therefore shall be glad to know the time.

I am likewise asked how it happens that there is so much delay in making the new lock at Northwich to restore the communication between what they call the upper and lower rivers, the weather having been exceeding good and the stoppage continued for above six months since the old lock was destroyed, and no appearance of a new one being built. Which is very prejudicial to the traders and a loss to the navigation, several people having been at the expence of sending salt and other goods by land below Pickerings Lock, for the better dispatch and avoiding the tonnage of goods sent from Middlewich and Winsford.[1]

Another cause of uneasiness given to the subscribers is the refusal of choosing Mr. Moreton and Mr. Vernon (the two other trustees for the subscribers) Commissioners at the last annual meeting, when there were, I think, 7 or 8 vacancies.

As the subscribers were so greatly interested in the navigation, it was expected, and I think with good reason, that they should have some representatives amongst the Commissioners. I therefore proposed those two, and I don't remember that any objection was made by any one gentleman then present, except Sir Peter Warburton, who said they were interested, though it plainly appears by the security in his hands that they were not, but are thereby declared to be Trustees only for the subscribers and had themselves no interest therein, and this was then told him by several of the Commissioners as well as me, but notwithstanding that, he prepared a list of new Commissioners and ordered an instrument to be drawn for electing them, and got it signed by a competent number of Commissioners, and left out both Mr. Moreton and Mr. Vernon.

Though these two gentlemen were rejected by Sir Peter Warburton, and a tenant of his own inserted in preference to them, I must beg leave to say I know no reason for it. I still think them unexceptionable men on all accounts. Their estates, abilitys, and integrity are unquestionable . . . and by the common rule, which I have been told has been generally observed, where there were no personal objections, Mr. Moreton had a sort of right to succeed his uncle, Mr. Lowe, whose estate Mr. Moreton had possessed ever since his death . . . And Mr. Vernon being well known to many gentlemen of the county, having frequently served with them on grand juries and other occasions, I thought there could be no objection to him, for I could not imagine his being a tradesman of considerable fortune, would render him unfit for that trust, he having great experience in waterworks, though not in navigations.

Now I am desirous to know whether Sir Peter Warburton, on further consideration, has any intention of opposing or objecting to their being elected at the next annual meeting on the 10th instant in the places of the late Mr. Ashton of Ashley and Mr. Glegg of Gayton deceased, whose successors are already Commissioners, because the same reasons still subsisting, I hope to be able to get them proposed by some of the Commissioners at that time . . . And that Sir Peter may not suspect I have a design to screw myself in on the

[1] It is difficult to see what Gorst meant by this reference to land carriage below Pickerings Lock, unless he was implying that goods from Middlewich and Winsford were being carried all the way by land because of the stoppage at Northwich.

same footing, you may assure him from me that I am far from having any thought of that kind . . .

After giving you all this trouble, you may naturally expect more, to give you some account of all the causes I know of our misunderstanding . . . When some advances were made towards an agreement with the Liverpool merchants, a majority of the Commissioners warmly opposed it, and as I was desired I used my best endeavours to raise by subscription the £18,000 wanted and did all in my power to compleat the scheme agreed on, and Sir Peter Warburton (who had it greatly at heart) and I cooperated with that harmony and confidence and exerted our utmost abilitys for the accomplishment of it, that I vainly imagined I had greatly recommended myself to his good opinion. I apply'd to my friends and recommended to them and others the security proposed and agreed upon as a desirable one, as wel on account of the validity as the good interest and punctual payment proposed, and on the day advertised the whole £18,000 was subscribed in less than 3 hours. I attended Sir Peter's summons on all occasions. I prepared beforehand the necessary orders and agreements to be signed at the subsequent meetings, ready for the perusal of the Commissioners, the want of which was known to occasion delays . . . I brought the security ready ingrossed to the meeting on 24 July 1758 save only that In witness &c. was not added, a space being left that anything that was thought necessary might be inserted before the conclusion, and it lay open that day for the perusal of the Commissioners, undertakers, and subscribers, or any persons they should appoint, and it was perused by several . . . All the subscribers paid their money as the Commissioners directed and, no objection made, the deed was then concluded and read over publickly before the partys concerned and by them seemingly approved. I then withdrew into the next room to make it ready for execution and in my absence (who would have thought it) Sir Peter Warburton took that opportunity of suggesting to the other Commissioners some impropriety or defect in the deed, which he had discovered, with relation to the Commissioners' power, without giving me the least intimation of his intentions, and afterwards came into my room and insisted on an alteration being made in the deed by adding a clause, though it was then concluded, which clause I think now, as I did then, quite immaterial, the purport of it being fully provided for by the agreement of 2 January before, which was signed by the Commissioners, undertakers, and subscribers, and the security made in pursuance of that agreement, which was recited in the deed and was no more (save the recitall) than a common assignment of the tonnage &c. for securing the £18,000 and interest. All this I told him and gave him other reasons against altering the deed, but he told me if I would not alter it neither he nor several other of the Commissioners would execute it.

You may imagine this treatment gave me no little surprise and chagrin, to have an imputation of a design to impose on the Commissioners, or at least a neglect to take proper care for them, thrown upon me, whilst I was out of the room and making the deed ready for execution, was not only ungenteel and unfriendly, but deserves a much worse appelation. He was sensible the subscribers had parted with their money and expected the immediate execution of their security, for which they depended on me; that he had

thereby got me under this dilemma, that I must either send my friends home without either money or security for it, or else I must comply with his demand, from whence might be inferred my admission of his charge. However, as the affair was brought to that crisis and the subscribers might have been alarmed by any disputes about it, I chose rather to erase the conclusion of the deed and add the clause he insisted on, at the hazard of my reputation with the Commissioners, than not to get a security for my friends for the money they had paid by my advice, or give them uneasiness, and take another opportunity of justifying myself to the Commissioners, which I hope to be able to at a proper time.

What were Sir Peter's motives for this conduct he knows best . . . I beg you'l communicate this to him.

Sir Peter Warburton to George Heron. 8 October 1759 (copy).

I have received your favour inclosing Mr. Gorst's letter. How can he affect to be so ignorant of our proceedings when it was in his power any day by applying to the Book of Orders to make himself perfectly acquainted with all we had done ? Those very orders will convince every impartial person how groundless the murmurings among the subscribers and traders are, which he mentions, how and by whom soever they have been stirred up.

That the correspondence which he speaks of between us, is stop'd, is intirely owing to himself, he declining to answer the most material part of a letter I sent him, though it was wrote almost purposely for information in that very particular, and when I told him of it at the last annual meeting, he gave me a rough and short answer in these words, " That he did not think there was any occasion for it ", and when I afterwards wrote to him for the deed directed to be lodged in my hands, he sent the deed but never answered the letter, and therefore it is strange he cannot find out why the correspondence drop't. . . .[1]

The intimation that I have any personal objections against Mr. Moreton or Mr. Vernon is not true, on the contrary I have a very good opinion of both those gentlemen and believe them unexceptionable, save only on account of their being trustees for the subscribers, and for the same reason I should have objected against my own brother or any person though of the greatest property in the county, nor was I singular herein, the Commissioners assembled at that meeting being of the same opinion and some of them declaring they thought Mr. Gorst wrong in making the proposal, and no body present that I heard saying anything for it but he himself. And for my part I see no reason from anything Mr. Gorst has said to alter my sentiments.

As to his charge that those two gentlemen were rejected merely by me, or by my instigation, in order to introduce a tenant of my own, I deny it. I proposed him because I thought he might be of use to the navigation, being a man of understanding and being upon the spot and having leisure and had

[1] A note gives the following explanation of the unanswered letter : The 5 September [i.e. 1758] Sir Peter Warburton wrote a letter to Mr. Gorst desiring to know whom he had thought on for undertakers and who was to be the cashier, and if he was preparing any instrument for that purpose that he would let Sir Peter see the draft of it before it was engrossed. This part of the letter Mr. Gorst never answered.

an opportunity of viewing the works on the river every time he came to the meeting, of making a report of their condition to the Committy, and in point of qualification, I thought he could not be improper (although a tenant of mine) as he had estates in the county of above £400 a year, but before he was elected I asked the question whether his being a tenant of mine was any objection and there was no objection made to him then, how many so ever Mr. Gorst may have found out since.

But what most surprises me is his suggestion that the observation he mentions to have been made by me on the deed he prepared, was with design to fix a slurr on him as intending to impose on the Commissioners or neglecting to take proper care for them.

Whilst the deed was reading over previous to the execution, (before which time I had never seen the engrossment or any draft of it), the objection occurred to me, and mentioning the observation to such gentlemen as sat next to me, they thought it was of weight, upon which, Mr. Gorst having left the room (while the deed was reading, I suppose, for I did not perceive he had left it when the objection was made, and which I should have spoke of in like manner if he had been present), I went to him into the back room whither he had withdrawn and told him of it, upon which he seemed a good deal out of temper and endeavoured to shew the objection was of no consequence, but being by no means convinced by what he said, I did insist on a clause being added, which I thought would explain or at least put the matter out of doubt. This I apprehend was no more than the duty I owed to the trust I had undertaken and I think it hard that I should be thus reflected on by him for it. I had no view in doing it but to guard the Commissioners from the like inconveniencys they had experienced under the former undertakers, and which other gentlemen as well as I thought they might be subjected to by the deed as he had drawn it, without a clause being added, which he is so angry about. And you know the Commissioners took upon them a debt of £7000 which they did not allow to be due to the late undertakers, for no other reason than to get freed from those inconveniencys.

As Mr. Gorst had from the second day of January to the twenty fourth of July to prepare the deed, if he had sent a rough draft to the Commissioners to have been perused by them (which surely he might have done) or had laid it before council to be settled (as a deed of that importance ought to have been) all these disagreeable matters had been avoided, and the times for paying the interest better fixt for the benefit of the navigation and the satisfaction of the subscribers, but no Commissioner ever saw the draft or the engrossed deed before it was brought to be executed at the public meeting, that I ever heard of, which in a case of so much consequence was very extraordinary.

As to the latter part of Mr. Gorst's letter, it is beyond my comprehension, but whilst I have been endeavouring to serve the county without any private views (whatever he may have), I think I do not merit such treatment from him, which I look upon as a reflection upon my integrity, and therefore desire you to lay this letter before the next meeting, where I shall expect him to explain himself.

I am far from desiring to be the principal director (as he is pleased to

stile me) but have always endeavoured to act in concert with the other gentlemen of the Committee, without assuming any power to myself, though the nearness of my situation to the river has frequently brought people to me for directions, which I sometimes could not avoid giving, but in matters of consequence I never gave any without first applying to the neighbouring gentlemen for their advice. I shall only add that whatever ill usage I may receive, through piques or misrepresentation, I shall not desert my trust so long as I am thought worthy of it and you will continue to take share in the trouble with me.[1]

(C) The Struggle for the Amending Act, January to April 1760

Sir Peter Warburton to Lord Strange. 18 January 1760 (draft).

It is concluded under the strength of your lordship's protection to venture our little vessel out to sea and to beg the favour of you to present our petition to the House, which Mr. Cholmondeley will give you with this, and he sets out with it in order to be at hand to second your lordship in the motion.

You will see that there are some alterations made in the articles of the plan and indeed it could not be otherwise, both as to matter and wording, the heads sent to your lordship being only a sketch of a few drawn up in haste for the perusal and observation of the rest of the Commissioners and persons concerned . . .

General instructions will be forthwith sent to Mr. Yeates to prepare the Bill under your lordship's directions, but when it is prepared (as Mr. Yates the council had been consulted upon the case and assisting in furnishing heads for the amendment of the Act), the Commissioners desire Mr. Yeates will take the draft of the Bill to him for his perusal, not out of any distrust that it will not be properly done by him in every respect, but lest Mr. Yates, the council, should look upon himself to be slighted by them and they lye under the imputation of ingratitude.

Your lordship's hint to me of writing to Sir Ellis Cunliffe being communicated to the Commissioners, they desired Mr. Cholmondeley to make their compliments to him if in town and to engage his assistance and if he

[1] A letter from Lady Margaret Stanley to Dorothy Parry Price, dated 26 May 1760, gives the following account of the alteration to the deed on 24 July 1758: When the deed to secure the money subscribed was produced to be executed at a publick meeting of the Commissioners (none of whom had ever seen it or any draft of it, though some of them had desired it), Sir Peter Warburton made an observation upon it and desired a clause might be added on behalf of the Commissioners (who would otherwise have been mere cyphers without any power) for as the deed stood before this alteration, the whole power (as he apprehended) would have been lodged in Mr. Gorst and two other trustees of his naming, and the trust would have been just in the same situation after as before paying off the late undertakers, excepting that one per cent was saved by changing hands, but for this the disputeable article of £7000 was given up, and if no other benefit was to arise by the bargain, Sir Peter thought it a bad one for the country and therefore spoke his sentiments freely on the occasion.

was not in town to write to him for that purpose, which Mr. Cholmondeley promised to do.

The works which failed under Mr. Berry's directions, being set upon again under the direction of our own agent or undertaker, Pownall, and having stood the winter floods and freshes without damage, we apprehend they will in a very little time be compleatly finished by him, and there being nothing else extraordinary to be done at present, the Commissioners have not yet thought it necessary to send for any assistant to him and when they do I hope they will pay a proper regard to any body your lordship shall recommend.

Thomas Cholmondeley to Sir Peter Warburton. 20 January 1760.

I am sorry that you have had so much trouble in sending about this petition, but I hope that the success arising from it will recompence you for it in some measure. No endeavours of mine shall be wanting towards it, and I will take due care of delivering your letter with the petition to Lord Strange. If it is necessary to support the allegation asserted concerning the damages, I will take it upon me to say that the petition shall not suffer on that account, because it would be sufficient to corroborate my own evidence by proving facts, when the Bill comes to be debated in the committee. But the present Act sufficiently proves its own defects and invalidity by referring to it, and shews the necessity of amendment. I hope to give a good account of my journey on my return.

Thomas Cholmondeley to Mr. Colquitt. 6 February 1760 (copy).

On my return into Cheshire from presenting the petition relating to the Weaver navigation in Parliament, I am much surprized and concerned at the animosities and prejudices prevailing against it and threatening an opposition, particularly at Liverpoole, when I really flattered myself with the hopes of a general good-humour and unanimity from all parties in a common cause, as nothing is or ever was intended to the detriment of trade. To this end Lord Strange was originally consulted on the plan, who not only approved it, but kindly promised his assistance in carrying it into execution, and was to have presented this very petition, which, it is said, has spread this universal alarm, if he had not been prevented by ill health. I considered his lordship's concurrance, in my opinion, as a most favourable omen; and it cannot be aleged with propriety that this affair has been undertaken in a hugger mugger manner, when nothing has been begun or proceeded upon without the knowledge and advice of the representatives of our county. Having the pleasure of Sir Ellis Cunliffe's acquaintance, I was also directed by the Commissioners to write to him on this subject . . . I therefore acquainted him with our intentions . . . Mr. Poole[1] indeed I did not speak to, not being in the least known to him. But when I moved the petition, no design, I am sure, was manifested of transacting it in a clandestine manner, since I myself named all the members within the principality of Wales, the northern counties, Cheshire, Lancashire, Shropshire, and Staffordshire to be of the committee. If the Commissioners have been

[1] Charles Pole and Sir Ellis Cunliffe were the M.P.s for Liverpool.

defective in any ceremonial points towards the Liverpool gentlemen, I am sorry for it, but I venture to assert that it was never their intention to proceed on the contents of the Bill without a previous consultation with them.

Sir Peter Warburton to Lord Strange. 6 February 1760 (draft).

I am sorry to acquaint your lordship that our Bill is likely to meet with an opposition, which we are as little able to account for as we were to foresee. The gentlemen of Liverpool have imagined that our present design, should it succeed, will be detrimental to their interest, and ground their opinion on these two particular exceptions: the danger attending the liberty of leasing out the navigation, lest it should not be kept and left in proper repair, and the damage they shall receive from our being vested with a power of raising a sum upon the navigation, because the increase of the debt will protract the benefit, which will accrue to them from the late Act intitling them to the exemption of 3*d*. a ton upon the discharge of the debt. These objections of theirs being made to things we lay no great stress upon, we hope by sending this morning to Liverpool to accommodate matters . . . I cannot help imputing their opposition to offence taken at not being consulted and invited to our last meeting at Northwich. The little time we had even to apply to the gentlemen of our own county should excuse our not thinking of the Liverpool gentlemen upon this occasion, whose interest in it, we apprehend, is not sufficient to justify their expectations of being consulted upon a scheme entered upon for the sole benefit of Cheshire.

Sir Peter Warburton to John Stafford. 7 February 1760 (draft).

. . . Had the Liverpool gentlemen permitted Mr. Colquitt to acquaint you or me what were the things they objected to when they had perused the heads of the amendments, which I sent to him at their desire together with a letter from Pownall, wrote at my orders to assure them that if there were any articles which they did not approve, if they would communicate what they disapproved of to you, they would receive all reasonable satisfaction, this would have saved the trouble and expence of sending Mr. Colquitt to make an opposition to the amendments in town, because I am sure none of the Commissioners had the least intention to prejudice or even inconvenience their trade, but only to get the Act amended so as to be able to perfect the navigation for the benefit of trade as well as for the advantage of their own county, which they were not empowered to do as it stands. But not being certain what the Liverpool gentlemen's objections are, I can only inform you what it is that I hear . . . They would have not the Commissioners empowered to lay out money on any other object than the navigation for the reason mentioned in my letter to Lord Strange. And they object to the Commissioners having power to borrow money, which they think will protract the time of the debt being paid off, after which, by the present Act, they are intitled to a reduction of the tonnage 3*d*. per ton. I apprehend the Commissioners have a power of borrowing money by the Act for the benefit of the navigation without the controul of the gentlemen of Liverpool, and the sum which they crave power to borrow is little, if at all, more than the Liverpool gentlemen talked of laying out upon it them-

selves, had they carried their scheme of getting the navigation into their own hands. They also demand who is to pay for the petition and the consequent expences of [*sic*], and say this also shall not fall upon the navigation, because that will likewise enlarge the debt and prolong the time of the reduction of the tonnage, and if gentlemen will go into Parliament for trifles and without a sufficient cause for so doing, the expence of it ought to come upon themselves. The Act and the imperfect powers in the Commissioners to carry it into execution sufficiently demonstrate the necessity of applying to Parliament for the amendments. And I believe the Liverpool gentlemen cannot say that if they had got the river into their possession, they would not have applyed for amendments, if not a new Act, nay, they know they intended, and Mr. Colquitt or somebody by their directions had drawn a Bill for that purpose. These are things I thought necessary to acquaint you with that you may be upon your guard. Mr. Cholmondeley from Mere by the approbation of Mr. Brooke, and Mr. Heron and myself wrote to the gentlemen at Liverpool . . . in hopes of bringing about a reconciliation.

The Warrington "Treaty". 11 February 1760

Present

Cheshire Commissioners	John Blackburne, Esq.	Liverpool merchants
Samuel Egerton, Esq. }	Representatives of	Robert Cunliffe
Thomas Cholmondeley, Esq. }	the county.	John Tarleton
		John Blackburne, jun.
George Heron, Esq.		James Gildart.

It is resolved and agreed between the above named persons that they will use all their interest and power to obtain the following alterations in the plan or scheme, hereunto annexed,[1] which was proposed by the Cheshire Commissioners to be reduced into a Bill and brought into Parliament this session, and such plan, with the alterations, to be carried into execution: viz. instead of article the third, we agree that the estate, interest, and powers in the new Act shall be vested in the two representatives for the county of Chester for the time being, their deputies, agents, and workemen, in as full and ample manner, to all intents and purposes, as the present undertakers and trustees under the former Act; and in this capacity the privilege of Parliament shall be waived by the said two representatives, if they are ever sued for anything done in pursuance of the new intended Act.

4. That the incorporating clause be dropped and entirely laid aside.

9. That it will be for the interest of the navigation to have it fixed what a juryman shall have a day, and pay his own expences, . . . and we think *2s. 6d.* for each man sufficient.

14. That the undertakers shall be authorised to borrow any sum of money that may be necessary for improving and preserving the navigation, not exceeding £30,000, including the present debt, and the mortgage hereafter made to be subject to redemption after twelve months' notice, and three months' public notice shall be given in the Gazette, before any meetings to borrow money, and the undertakers be obliged to take what money they want from those that offer it at the lowest interest.

[1] This plan does not seem to have survived.

18. That thirteen trustees and not less be sufficient to compose the annual meeting . . . and five for all other meetings, except committee meetings, for which three shall be a competent number.

21. That all vessels etc. be marked on the outside with the owners' and masters' names, and also to shew what water they draw, under the penalty of 5*s*. and no more.

22 and 23. That a flat master with coal from Sankey navigation, producing his receipt from the receiver of the tolls there, and making oath if required that he paid no more . . . shall pay for the same number of tuns which he did at Sankey . . . ; then with respect to rock or white salt, the salt officer's certificate shall govern the tonnage as has been the practice hitherto, . . . and with respect to timber and all other goods . . . the tonnage weight or measure shall be estimated as the present custom is . . .

24. That all vessels sunk be weighed-up by the owners in three days after notice given to the owner or agent of or for such flat . . .

25. That all persons over loading so as, by sinking the vessel below the water mark, to hurt or obstruct the navigation, forfeit £5 for each offence, but it is agreed that the trustees or undertakers shall be obliged to have five feet water at least in every part of the river and that every new lock shall be eighteen feet wide clear within . . .

33. That the undertakers and trustees shall be obliged to put the works of the navigation in good repair and keep them so and, if they do not, the Commissioners may appoint some person to do it.

34. That out of the money to be borrowed on the tolls, the trustees be empowered either to amend the high road now fallen in and leading from Witton Brow to the navigation, or be enabled to purchase lands . . . in order to lay out a more safe and commodious road, provided the money so expended do not exceed the sum of £500.

It is also agreed that the tolls, rates, or dutys of all goods shall be reduced to 12*d*. per ton in fifteen years . . . and that no greater rate or duty shall at any time be demanded or taken than 12*d*. for every ton of pipe clay, flint-stone, coal, and slate, and no greater duty than 10*d*. for every ton of pig mettle, iron mine, iron stone, lyme stone, brick, flagg, ashler stone, paving stone, and mill stones, and so in proportion for a greater or less quantity than a ton.

Sir Peter Warburton's "Observations on the result of the meeting at Warrington", 11 February 1760.

Article 1 [i.e. 3]. No visible reason appears why the power of appointing their own agents shall be withdrawn from the present Commissioners, or the estate, interest, and powers in the new Act be vested in any two persons whatsoever, without the controul of the Commissioners.

14. The Commissioners should not be limited to borrow no larger sum than £30,000, the present debt included, it being apprehended their power is unlimited in this point by the Act . . .

18. Why should not nine Commissioners be sufficient to compose the annual meeting? The inconvenience attending the necessity of 13 to constitute a committee having ever since the Act been experienced to have

been so prejudicial to the navigation, that it was very seldom the business could be carried on for want of a competent number of Commissioners attending . . .

22 and 23. There can be no reason why the tonnage on the Weaver should be governed by the receipts produced by the flatt-masters for the tonnage they paid to the toll receivers on the Sankey, not only as such a measure may be liable to great frauds, especially by taking in lading after those receipts are given, but also the navigation of the Sankey is in the hands of the merchants of Liverpool, who ingross almost the whole business of the river, and if they have a mind to compliment the trade at the expence of the navigation, it is still keeping the advantage among themselves. But the county of Cheshire has no interest with the proprietors of salt, or advantage in the trade of the Weaver, but the tonnage . . .

25. No lock upon the Sankey navigation is more than 16 feet clear within, and some not above 15½. Would the Liverpool gentlemen oblige the Commissioners to follow their example in one particular and not in another? And must the Commissioners of the Weaver be obliged to make all the new locks 18 feet within, when by such an extraordinary expence the debt of the navigation will be so much protracted? And it may be, the Commissioners cannot give five feet water, at least in every part of the river, especially next above and below Northwich.

33. This being seemingly all the power that is to be left to the Commissioners, can it be worth their while to trouble themselves with it?

34. Will £500 be sufficient to purchase land for a new road from Witton Brow to Northwich? And if it will not, or barely do that, how is the road to be made . . . ?

As to the last clause, no limited time ought to be fixed for the reducing the tonnage, lest at the expiration of that time the debt should not be cleared, and then it possibly may never be paid off at all. Nor should the Commissioners ever suffer themselves to be debarred from taking more for pipe-clay, flintstones, coal, and slate than 12*d.*; nor than 10*d.* for every ton of pig mettle [etc.] if they see occasion and the trade will bear it, because it is well known that the tonnage on these commodities were brought to that low standard by the late undertakers for their own benefit, they being greatly concerned in the trade of the river, and chiefly in those commodities.

John Stafford to Sir Peter Warburton. 11 February 1760.

I attended the House to-day when Lord Strange made his report upon the petition and leave is given to bring in a Bill, which will be ready about a week hence. He is so little apprehensive of any miscarriage that he told me he did not see any one of the clauses in the plan to which there was any reason to object, except to the last about the road, all the rest being warranted by the like clauses in other navigation Bills, and as to that he thought it reasonable, but however if it was much opposed, he advises to drop it.

I am apprehensive the Liverpool gentlemen thought by making a great stir at starting they might possibly frighten the Commissioners into terms so as to bring about the scheme they had some time ago, to get the river into their hands as a private property. But I have great reason to think,

if the Cheshire gentlemen would have parted with their interest to them, the Parliament would not have come into it, the general sense of the House now being that such publick concerns are much better to be lodged in the hands of Commissioners than private undertakers. And upon the whole I do not think we need to be alarmed in the least at any opposition they can make, though it is certainly prudent to quieten them, if it can be done without giving up any powers that are essential to the improving and preserving the navigation. And I have some reason to think the Liverpool members do not give their constituents any great encouragement, for I was told that one of 'em said he was ashamed of the opposition, but must do as he was directed. This however is (inter nos) not to be mentioned again.

[P.S.] You will be pleased to observe the latter part of this letter is only for the knowledge of such Commissioners as can be trusted with the secret and are not concerned with the Liverpool gentlemen.[1]

Lord Strange to Sir Peter Warburton. 12 February 1760.

I was aware, or rather acquainted, very early that your Bill was to meet with some opposition, but as it is impossible for the Liverpool gentlemen to be against the whole of the Bill, and as the objections they make seem to me, as far as I have been acquainted with them, to be of no great moment, I think we shall be able to do very well. I judge as you do that pique at not being consulted has made them inclinable to oppose, and the not having been acquainted with what is intended has made them jealous that something may be attempted to their prejudice. However they seem to be come more to temper and as Sir Ellis has wrote to have Mr. Colquit sent up, I hope we shall yet settle matters so as not to have a great deal of trouble in the House. This I would do if I can more to save expence than for fear of what they can do, for I think they will not be able to overturn the reversion should they attempt it, and the main of the Bill it is as much their interest to obtain as it is yours. I have made the report from the committee and have got leave to bring in the Bill, which I will do as soon as the Bill is setled and printed, and then if they want time to consider it, they shall have what is reasonable between the first and second reading.

John Stafford to George Heron. 15 February 1760.

I was this morning with Lord Strange to confer with him upon your letter, when he told me he had been acquainted by another hand with the result of the conference at Warrington before I came to him. . . . He seems to think the proposal of lodging the trust of the navigation in the members of the county absolutely impracticable. The property of the navigation must be vested either in some persons and their *heirs* or in such trustees and their *successors* as will or may have a constant and uninterrupted succession for ever. Now there have been instances of several years passing without any Parliament being called at all. And the like may possibly happen again. But supposing it never should, is there not a vacancy between one Parliament and another? And may it not possibly happen that both members may dye pretty near at one and the same time, in either of which

[1] The postscript is in a different hand from the rest of the letter.

cases (and one of them is sure to happen at the end of every seven years) the trust will be at an end, and I imagine not to be revived without the future aid of Parliament. But even if it would result to their successors, there could be no remedy for any injury or damage done whilst the trust was in abeyance . . .

But in fact there is nothing in the objection made by the Liverpool gentlemen that the Commissioners being made trustees will be both parties and judges. There are precedents that warrant it, particularly one of the latest navigation Acts (vizt.) that relating to the river Calder, which is exactly in point. And if there was any real weight in the observation, it would hold as strong against the knights of the shire as against the Commissioners at large, who are all gentlemen of estates in the county.

As to reducing the tonnage at the end of 15 years or providing against raising it higher than it is at present taken promiscuously (vizt.) 1*s.* 3*d.* for some comodities, 12*d.* for others, and 10*d.* for others, it seems to me that the consent of the persons who have lent money upon the credit of the river is necessary to warrant these alterations. And I scarce think they will agree to lessen their security, and without their agreement surely the Parliament will not do it . . .

If the Liverpool gentlemen have still any distant views of getting the navigation sometime or other into their hands (far be it from me however to suppose such a thing), the pains they have taken to put the present proprietors of the river under such difficulties and hardships as may in time make 'em grow tired of it, is easily to be accounted for. But if they mean to have the navigation improved, surely they should strengthen the hands of the proprietors and not cramp and restrain them, at the same time that they are putting them upon expensive improvements.

What use their plan may be in framing the present Bill, I cannot foresee. When it is produced I shall be better able to judge it. But I can venture to say that a draft is already prepared with as general and full powers for all kinds of improvements as the nature of the case is capable of admitting . . . And when Mr. Colquit comes up, I hope we shall be able to settle it to the satisfaction of all sides. But I hope the county members, or at least one of them, will attend and assist in settling and bringing the Bill into the House. Their countenance is certainly necessary and I believe the draft will be settled by the end of the week.

John Houghton to Sir Peter Warburton. 15 February 1760.

I think an Act obtained according to that plan would be much worse for the county than your present Act, bad as it is. Their tendency seems to me to be to distress the navigation and to put it into the power of the owners of vessels to plague and cheat us whenever they pleased. I am far from charging the gentlemen concerned with any such intention, I do not believe they saw the consequences. I was always averse to any meeting with the Liverpool gentlemen by way of compromise. We were sure to get nothing by that, but might lose. Let them bring their objections to the House, if they are reasonable we shall not oppose them, if not, I am under no fear that they will have power and interest to get an unreasonable clause

. . . To the best of my remembrance many of our clauses are in their own Sankey Act . . . I will never believe the House will think right to refuse us those powers it has granted to other navigations.

Sir Peter Warburton to Richard Barry. 17 February 1760.

I am so much concerned at what our gentlemen have done at Warrington that I can hardly express it. They were to endeavour to gratifye the Liverpool merchants by the mitigation of any of the articles of the heads sent up, if they made it appear to them that they bore hard upon their trade, and to give them any reasonable satisfaction that they could without prejudicing the interest of the navigation and consequently of the county, but I never dreamed of any new articles being admitted and the whole system of the plan being overturned, which is now and was at that time in agitation under Lord Strange's care and protection in London and had been presented and approved by him before he went up to town . . . I must add that if the first plan is not stuck to to-morrow, I think it is using Lord Strange so ill that I can never attend any future meetings.

John Stafford to Sir Peter Warburton. 19 February 1760.

This morning I was by appointment of Lord Strange to be at his house by ten. I observed the appointment, but he was so engaged I could not see him till one. We then entered upon the alterations proposed at Warrington and considered them article by article . . . My lord had no sooner gone through the whole and wrote down his remarks, but a message was sent in that Sir Ellis Cunliffe and Mr. Colquit desired to wait on him. Upon which he bid me stay and said he would go over the matter again with them, and I believe we were 3 hours debating upon it and in the end his lordship satisfyed them with the absurdity of the first alteration proposed and the impracticability of the last without the consent of the present creditors upon the navigation. He advises the dropping of the incorporation clause merely to humour them, though he thinks it was a proper one, but all the conveniencys proposed by it may be had without the name of the thing. He thinks there is really no necessity to limit the borrowing clause, but in order to passify proposes it be fixt at £35,000. The number of Commissioners for an annual meeting is to be nine, the penalty in 21st clause 40*s*. And the rest of the proposed alterations, with some small variations, he proposes to stand. And though the Liverpool gentlemen upon the first meeting seemed to be very warm, yet I have the pleasure to acquaint you that at parting we were very cool, and I doubt not but matters will be settled without much difficulty, if we can get over the most material objection to the alteration, which is the last proposed, and to which the consent of the creditors seems absolutely necessary.

John Stafford to George Heron. 21 February 1760.

I . . . have by this post wrote to Mr. Cholmondeley at Hereford and to Mr. Egerton to acquaint them that the draft of the Bill is in great forwardness (notwithstanding several additions and alterations, which have been made at the instance of the Liverpool merchants, which have taken up

a good deal of time to settle) and that I believe it will be ready to be brought into the House by this day sevenight, and that I apprehend their attendance will be very necessary, for although the opposition is in a great measure subsided, yet that I expect there will be some disputes when the Bill comes before the committee, some of the alterations proposed on the meeting at Warrington being thought impracticable and others being disapproved at the meeting of the Commissioners on Monday last.

The additions and alterations, which I mention to have taken up time in settling, are such as my lord Strange advises to comply with and are really of little or no consequence. I have not time to descend to particulars, but you may be assured he will give up no essential point. He told Sir Ellis Cunliffe and Mr. Colquit . . . that he had not the least doubt he could carry the Bill through the House upon the original plan, but that he would not push the matter if they would be satisfyed with what was reasonable, and they said upon this that they were satisfyed the Liverpool gentlemen would rest content with what he thought adviseable or to that effect.

I . . . have not had any assistance from Mr. Yeates for some time, he having been very ill.

John Stafford to Sir Peter Warburton. 22 February 1760.

Yesterday and today I have been wholy imployed in attending Mr. Colquit to settle the Bill and I hope most of the difficulties are over. I have had many debates with him and finding I could gain little on him that way (as he is extremely tenacious of his own opinion), I cut him short in every dispute by telling him my Lord Strange was to decide between us and whatever he thought reasonable and practicable, I should come into and no further. I found this had a good effect and he in great measure leaves everything to his lordship, so that I have no great doubt but matters will go on pretty well, but he tells me the people at Liverpool are all in a flame and complain loudly at our receding from what they say was agreed on at Warrington.

Last night we thought of an expedient that will obviate many of the difficulties and take off the objection to the competency of the Trustees in case they were to have been both Commissioners and Trustees, which is this (vizt.) : That the property and direction of the navigation shall be vested in the present Commissioners as proprietors and Trustees and that there shall be commissioners appointed for mediating between the Trustees and any parties injured by taking their lands &c. for improving the navigation, and that in case the Trustees and such parties cannot agree that then these commissioners shall summon a Lancashire jury, who are to assess damages. And these commissioners are likwise to be a cheque upon the Trustees in like manner as the commissioners are in such Acts where the property of the navigation is vested in private undertakers and their heirs for their own benefit (vizt.) : That in case the Trustees should let the navigation go out of condition and neglect to put it into proper condition upon notice and a reasonable time allowed for it, that then these commissioners may seize the rates and duties and with the profits (over and above what shall be sufficient to pay the interest) put the works in good condition and then restore the profits to the Trustees. If you have any Acts of navigation

where the property is in undertakers, you'l easily see the nature of this power, which I think is but reasonable, for though at present you and several other gentlemen are very attentive to this concern and perhaps may persevere until the river is out of debt, yet hereafter the affair may grow languid (as it did some years ago) and what is every bodys business will be nobodies and for want of attention the works may go out of condition, and there ought to be some compulsory method to oblige the Trustees to keep 'em in order.

These two are all the powers which these commissioners will have, the first is a thing of nothing, and tis probable they will never have occasion to exercise the latter, if either of them . . . and if the Liverpool gentlemen chuse to name such commissioners I see no reason to object to it.

Mr. Colquit sticks to the part of the agreement by which the tolls of several comodities are to be fixt at the rates now taken and that the tonnage of salt shall be reduced to 12*d.* in 15 years, and I cannot get him off it. This however is not practicable (as I apprehend) without the consent of the persons ntitled to the £20,500, or a majority of them, and they may indeed consent without the least hazard or inconvenience. But whether they will or not, may perhaps depend on Mr. Gorst. I intend to send him a copy of the Bill as soon as ever it is settled, and if he prevail upon some of them in the country (to the amount of £5 or 6000) to sign their consents on the back of the Bill, I doubt not but I can prevail on Mr. Lowndes, who is in town, to attend the committee and give his consent, and you know he is the largest creditor.

Lord Strange to Sir Peter Warburton. 23 February 1760.

The scheme of the members being proprietors of your navigation we have . . . laid aside as improper, for not being a permanent body the navigation must have been at times without any managers or persons having a property therein and consequently would have come under many of the present inconveniencys. Mr. E——n [1] has, I hear, wrote to Liverpool that he looked upon himself and companions as impowered to conclude, and has told them that he will, if they desire it, come up and declare so in Parliament. They are, I hear, very warm at Liverpool on this account, but we have so near setled matters here that I think they will make nothing of it if they should oppose . . . To be sure they should have some sort of security that the navigation will be kept in repair after it shall be compleated . . . I must say here that the commissioners are not to judge arbitrarily, but to make an award upon a verdict found by a jury. Mr. Stafford thinks that the commissioners to be appointed should be the Commissioners of the Land Tax for Lancashire, and I should like that better than to follow the Calder scheme, which having a money qualification might let in judges that might be as much interested as the Cheshire gentlemen, who being all interested by the reversion makes some provision of this sort seem necessary . . . You see the commissioners, if approved of, will have no controll over the Trustees for executing the Act, and if this point is setled I believe every thing will be fixed and the reversion, which I look upon as the principal point, entirely unimpeached.

[1] Samuel Egerton.

Sir Peter Warburton to Lord Strange. 27 February 1760 (draft).

I am favoured with yours of the 23rd instant and must beg your pardon for any confusion, which my embarrassment upon such a subject may occasion in this answer. For although I am morally certain the Commissioners at large will be very well satisfied with what determinations your lordship shall make between the Liverpool merchants and them and think themselves greatly obliged to you for the trouble you have taken, yet I dare not take upon me to answer absolutely for them, as there is not time to call a meeting and some of them are discontented and ready to grumble at every thing. And if anything should be concluded for the disadvantage of the river, they will be ready enough to throw the whole blame upon me.

. . . I went to Mere yesterday to confer with Mr. Brooke and Mr. Heron . . . They readily agree to have a set of commissioners and a jury out of Lancashire to assess damages, but if either party think themselves aggrieved, they should have liberty of appealing to the judges of assize at Chester; and they desire the commissioners may be nominated out of the Commissioners of the Land Tax with an objection to all such as are in any way concerned in trade, but they beg to be excused assenting that the Liverpool merchants should nominate the commissioners, thinking they will nominate such on purpose as will put them to most trouble and inconvenience; and as I cannot help thinking the Liverpool gentlemen want to weary us out and get the navigation into their own hands, I beg leave to join my sentiments with theirs in this particular.

They think with your lordship that there ought to be some method to compel the Trustees to keep the works in order when compleated, but they do not at all relish giving the Lancashire commissioners a power of seizing the tolls, lest they should do so when there is not a necessity, for they ask who is to be the judge in this case; and if they should have power to seize them in case of necessity, they want to be assured that they will not lay out more money than there is occasion for, and pretend that there are more wants than there really are, on purpose to keep the tolls in their possession. And they want to know by what means the Trustees shall oblige the commissioners to lay out no more than is needful, and that as expeditiously as possible, and how they shall compel the commissioners to restore the tolls, if they should be unwilling to do so. For these reasons they wish some other method might be contrived, but if there cannot, and they are made safe in these particulars, I understood them that they would acquiesce in the Lancashire commissioners having power to seize the tolls, provided they were chosen out of the Commissioners of the Land Tax, with an exception to all that are any ways concerned in trade. And this is repeated, to add another reason to the former, vizt. that some of our own Commissioners have shewn a disposition to oblige the trade of Liverpool at the expence of the interest of their own county, but this has no reference to the last meeting at Warrington, but advanced to enforce their arguments why the commissioners should never have power to seize upon the tolls, but in case of total neglect of the Trustees and of absolute necessity. And they are doubtful how a time can be ascertained, for Northwich Lock has been down almost a year and nothing done at it yet, though all possible diligence has

been used, and Mr. Stafford can satisfy your lordship how it comes about that this could not be done. Should Pickerings Lock be blown up, the whole navigation must be at a stand still till it is repaired, and we apprehend that could not be done under a year, and should the ware blow up again it will take a great many months to rebuild it. And though we would hope and are made to believe the navigation will not be attended with those misfortunes at those places, we cannot be sure of it, and things of the like nature may happen at other places. I am afraid I shall tire you and yet I know not how to help it. They think too that the Liverpool gentlemen want to make the Cheshire Commissioners uneasy in the execution of the works and weary them into neglect, and by that means form an intent to get the navigation from them.

They apprehend that the present Commissioners cannot consent to the reduction of any part of the tonnage before the debt is paid off without a breach of trust to the county and that they are bound in honour to uphold the subscribers' security and not suffer it to be weakened, as the chief reason of their subscribing so readily was the confidence they reposed in the Commissioners.

Mr. E——n may declare what he pleases in Parliament or anywhere else, but Mr. Brooke and Mr. Heron both aver he had no authority from them to conclude anything. Mr. Heron declared to the deputys from Liverpool at the meeting that they had no final power of settling differences . . . and he says he will send up the draft of the letter which was sent to Mr. E——n to invite him to assist Mr. Cholmondeley and himself at Warrington, which will put the matter out of all doubt.

Sir Peter Warburton to John Stafford. 27 February 1760 (draft).

To give five feet water in the upper river above Northwich will flood the lands above Northwich unless there were new cuts made and new locks every one of them ; neither would there be passage for flats by reason of the narrowness of the river unless the banks were widened, which would endanger their caving in, if the locks above Northwich were made 18 foot wide. The lock at Northwich cannot be made 18 foot wide without endangering the buildings adjoining to the land ; neither would it be safe to build a lock there above 16 foot clear within, by reason of the narrowness of the ground in which it must be erected, and the narrowness of that part of the land especially towards Northwich Bridge, and if that ground fails, there is no other place a lock can be put in but General Warburton's, which is excepted by the Act. To give five foot water at least at all times from Northwich downwards would occasion additional works to the locks, wears, and cloughs and lay such a weight of water on them as would greatly endanger the present works. And to make the locks all 18 foot wide would necessarily cause all the work to be made new, which would be attended with an additional expence of several thousand pounds, and Acton Bridge Lock was made new but last year. The lock at Pickerings which is the lowest is not 18 foot wide, it can be to no purpose therefore to make the locks above it 18 foot wide unless it is to be expected that lock will come down and is to be rebuilt upon a new plan.

The navigation books will show that the river has never been in so good a condition as it is now by the quantity of bushells of rock and white salt which have gone down . . . There has been a large sum of money, perhaps £500, . . . laid out this winter in keeping the passage open since the failure of the new ware built by Mr. Berry, the Liverpool gentlemen's agent, and no one thing neglected by the Commissioners or their agents to give the trade all possible satisfaction. Adam Richardson of Warrington and Thomas Paresey at Pickerings Lock can give evidence of these things and prove that 18 foot locks cannot be constructed without making the foundations intirely new.

And let it be observed that the intention of this navigation was only to carry down 30 or 35 ton at most, and the expence calculated at about £9000, but to accommodate trade there has been £20,500 laid out upon it and 50 tons weight has gone down in its present circumstances. And note the first flatt built for this navigation was made to carry no more than 20 ton.

John Stafford to Sir Peter Warburton. 28 February 1760.

In generall I think you will be well satisfyed with the Bill when you see it. I hope to give the finishing stroke to it to-morrow evening when the members who are ordered to bring in the Bill are to meet at Lord Strange's house in the evening to look it over. And then I will hasten it to the printers.

John Stafford to Sir Peter Warburton. 29 February 1760.

The letters which have come to my hands by this day's post have made me so uneasy that I thought it best to write imediately into the country and inclose the several clauses which have been occasioned by the Warrington meeting, that I may have yours, Mr. Heron's, and Mr. Houghton's sentiments on them as soon as possible. That unlucky treaty has greatly embarrassed the affair and put us under the necessity of making concessions which we otherwise might have avoided.

The clause giving the commissioners some kind of controul over the Trustees, which is founded on the 33rd clause of the Warrington treaty, and the clause to reduce the tonnage of some comodities at present and the whole to 12*d*. per ton at the end of 15 years are the most material. I think the first will not appear so formidable when you come to consider it. I have inclosed the sheet as it was first drawn with my alterations of it, to put it out of the power of a junto to plague the Trustees with unnecessary repairs. And upon the whole I think it is a power that is never likely to be used, and if it ever is, 'twill be our own faults. What was urged for it was, that though the river be now the object of many gentlemen's attention, it might in time be neglected as it had been for many years . . .

I found if the 5th article of our plan had not been varied, that the Liverpool members would have offered a list of commissioners to have been joined with us in the trust, which would have been disagreeable . . . I therefore proposed that the property and direction of the navigation should be vested in the present Commissioners as Trustees and their successors for ever and that the Commissioners of the Land Tax for Lancashire as well as Cheshire (those of Cheshire not being Trustees) should be a kind of mediating committee

between the Trustees and any persons whom they may find it necessary to treat for lands or in respect of damages . . . and to see the works put in condition in case the Trustees should neglect the trust to such a degree that the nevigation should *be stopt and rendred ineffectual*. Those were the words given to me by the Liverpool sollicitor and I shall not depart from them.

As to the reduction in the tonnage, they urge 'twas what they agreed to themselves when they were in treaty with us, that in 1732 Messrs. Eyre and Patten got a Bill through the Commons (and which was afterwards thrown out of the Lords' House) by which the tonnage was to have been reduced at the end of 15 years to 12*d*., which term would have expired severall years ago had the Bill past. And I observe all the recompence the county was to have had under that Act was only £500 a year.[1] But they also allege that it is necessary a stated time should be fixt when the tonnage is to be reduced, otherwise it is in our power to keep them from that benefit to their trade as long as we please to say we are in debt. Indeed whenever we should begin to apply any of the profits to publick uses, that would be a sort of evidence that we were out of debt, but we might keep the profits in hand unapplyed though the debt was really paid off. And what means have they to come to a knowledge of it, if we keep our own councel, for they are not authorised to call us to account under the present Act ? I don't mention this as a conclusive argument, but 'tis plausible and will serve their turn. All I am afraid of is that the consent of the creditors will be necessary (though Yeates thinks he can guard against that objection) and if it should, I doubt it may be the means of losing the Bill, which I should be extremely sorry for on many accounts. And one in particular, as it furnish us with the means of extending the power of applying the tolls to more useful purposes than those mentioned in the original Act, only by the alteration of the word *and* for *or* and adding the word *uses* which Lord Strange approves and doubts not but they'l pass, but this is inter nos and is not taken notice of by the Liverpool sollicitor.

Endorsed by Sir Peter Warburton :

I beg the favour of you to answer this yourselves to Mr. Stafford, for my obligations and connections with Lord S. are such as make it too uneasy a task for me to undertake. Pray return me this letter. 3 March 1760.

Sir Peter Warburton to Lord Strange. 1 March 1760 (draft).

I doubt I did not sufficiently explain myself to your lordship after the repetition I made of the exception to all that were any ways concerned in trade on account of some of our own Commissioners. I told you indeed it had no reference to what was done at Warrington, but I did not tell you that there are two very troublsome people in the trade of our river, the one Mr. Woods of Winsford and the other Mr. Hunt of Northwich,[2] the latter

[1] There is no mention of this Bill of 1732 in the *Commons' Journals*. The Liverpool members were probably thinking of the unsuccessful Bill of 1727, though that Bill was not promoted by Eyre and Patten.

[2] Probably John Hunt, who was shipping rock and white salt from Northwich between 1747 and 1765, Calvert, op. cit., p. 685.

of these was to have gone share with the Liverpool merchants if they had purchased the river. The former is tenant to Mr. C——y and having very much the ear of his landlord and Mr. E——n of O——n [1] has several times so prepossed them by false representations that they have given us a good deal of trouble by coming out of humour to the committy meetings . . . And Mr. Hunt is, as I am informed, frequently making complaints to Mr. W——n of G——e [2] and inflaming him, who is of himself continually finding fault with what the Commissioners have done, that should any inconvenience happen upon the river possibly he would be more likely to invite the commissioners proposed to be appointed to seize the tolls and come and take possession than to make any apology for our own Commissioners . . . I find the country in general very averse to having commissioners out of Lancashire as they think the trade of Liverpool will have some weight among them and they fear Mr. Blackburne of Orford's interest among the Lancashire gentlemen and say that his son John would ride the whole county over to assemble votes and bring a commissioner from beyond the sands if he thought he could get him to be on his side, and they think if the commissioners should be made up of half Cheshire and half Lancashire gentlemen they will never agree, but every meeting will be embroyled in quarrels.

I find the country much exasperated at what was done at Warrington and heartily wish that meeting had never been for I take it to have laid the foundation of our difficultys and the cause of abundance of trouble to your lordship, which you would not otherwise have had.

Mr. Gorst . . . told Mr. Brooke that he had received a letter from merchant John Blackburne desiring his consent as a trustee for the subscribers to the reduction of the tonnage and his interest with the other trustees and subscribers to the same end, offering, if they were uneasy at those conditions, to raise the sum they had advanced upon the river in a small time and pay them off. Mr. Gorst gave him for answer that as he had not seen the draught of the Bill he could be no judge of what was proper to be done . . ., but he told Mr. Brooke he never would consent to have the tolls reduced so that matter will in all probability meet with an opposition from the subscribers and their trustees.

John Stafford to Sir Peter Warburton. 3 March 1760.

I fully intended to have wrote to you by the last post, but the forenoon was wholy taken up with getting things in readiness for the meeting which Lord Strange had appointed at his house at 7 o'clock in the evening . . . Though all the members appointed to prepare the Bill met exactly at the hour appointed except Mr. Cholmondeley (and he was not half an hour past the time before his arrival, which you'l allow was pretty well for him), yet it was past 12 o'clock before we had gone through the business and we had then to sup and drink a chearfull glass, which made it past 3 o'clock before I got to my lodgings and I was not the last of the company.

We are greatly obliged to Lord Strange who took great pains and drove our opponents off several points they warmly contended for, and indeed

[1] Probably Philip Egerton of Oulton.
[2] Probably Philip Henry Warburton of Grange.

without his assistance we should have been baffled in many respects. But I could not prevail on him to depart from what he had consented to before . . . with respect to the commissioners, for he thinks it absolutely improper to have any Cheshire commissioners, and when I urged taking commissioners from other indifferent countys, he did not seem to relish it . . .

The only thing we now debate about here is the depth of water. Sir Ellis Cunliffe is excessive warm and was very angry with me to-day for speaking my sentiments about it. I have acquainted Lord Strange with all the objections and reasons I have been furnished with against it.

Lord Strange to Sir Peter Warburton. 6 March 1760.

I hope you will receive by this post a Bill filled up as Mr. Stafford and I intend it . . . I should be glad when you have considered of it to have your opinion of it, and if there are any parts of the Bill that you think ought not to stand, I desire you will let me know which they are and what can be substituted in the room of them. The clause I fancy you will most dislike is that of the commissioners which we have endeavoured to guard so as not to make it inconvenient, and if you will weigh well the beginning of that clause I fancy you will think it almost impossible for the commissioners ever to get hold of the tolls . . . I should myself have liked better to have had the commissioners taken from a third county, but the distance they would have to come either from Staffordshire or from Shropshire made us think that scheme impracticable. I desire I may have your sentiments upon the whole as soon as may be, because if you should think fit to drop the Bill, it would be prudent to do it before the second reading as then the fees of the House will be saved, though I hardly think you will consent to that as I am not myself clear that the money borrowed since the purchase from the old undertakers is or can be secured under the old Act, and the reversion under the new Act you will find secured to the county with full powers as to the disposal of it, and a power is obtained to make your new road. As I have no view in this affair but to serve you and the reasonable part of your brother trustees, I desire I may have clear instructions what I am to do . . . I have only to add that I do not think either the Liverpool members or myself absolutely tied down to the draught, nor can I think it either for their interest or yours to go without a Bill, but if you do not like the Act as it is now drawn, and can not substitute something in lieu of what you dislike that they will agree to, we must drop the Bill, and you must do as well as you can with the old one.

John Stafford to Sir Peter Warburton. 6 March 1760.

. . . However it may be disrelished in the country, I have not met with any one of my acquaintances here but what think the plan of the Bill very right, and I have conversed with severall gentlemen (besides our members) upon it. I mean with respect to the Lancashire commissioners. As to other points, they must be placed to the account of the Warrington treaty.

I have hitherto done pretty well as to cash, but I am now run quite aground and must have an immediate remittance from Mr. Pownall if possible. Indeed I have had £34 out of the mony Mr. Kent brought up, but I shall

want at least £100 more soon. If Pownall can send me a bill, I can turn it into cash, though it should be of a long date . . .

John Stafford to Sir Peter Warburton. 7 March 1760.

I will as soon be tied to a stake and baited like a bear as engage in any publick litigated concern for the future . . .

As for the commissioners . . . though there are several modern instances where all the powers have been vested in commissioners (without any undertakers or trustees) . . . yet those commissioners were trustees for the whole community at large and have neither personall or locall interest in the navigation, any otherwise than as a national benefit. But our case is very particularly circumstanced (and is an original never to be copyed after which I have often been told of) and every freeholder having an interest in expectancy cannot properly be either a commissioner or a juryman . . . If we were at this day to apply for an Act to make any other river in the county navigable upon the same plan we should be hooted out of doors, but as we have a kind of inheritance granted by Parliament, I think there is no danger of the Parliament taking it away from us . . . unless we misuse our estate . . .

I am sorry my endeavours have given so little satisfaction. I can only say I have done my best. And I shall be glad to be dismist from a service to which I am so unequal and which I would not have pretended to have undertaken had I been aware of an opposition.

John Stafford to Sir Peter Warburton. 8 March 1760.

I have only time to say that I am in hopes that I can get the Cheshire gentlemen (not being trustees) joined with the Lancashire gentlemen to be commissioners . . . and also that the Cheshire justices may act as well as the Lancashire justices in matters arising under this Act. But of these matters I cannot be certain . . . But it won't be worth while to loose the Bill for want of 'em . . . If it should be necessary to contest the matter about the 5 foot water Mr. Golborn, who was obliged to go out of town on his way to Cheshire this morning, will return again and in the mean time view the works if you send to him . . . Mr. Egerton is gone back which (inter nos) I am not sorry for.

John Stafford to Sir Peter Warburton. 11 March 1760.

This day the Bill was brought into the House by Lord Strange and read a first time, but the 2nd reading is deferred till we hear the result of the meeting on Thursday next,[1] because if it should be the determination of that meeting to drop the Bill (which I find the Liverpool people expect with impatience), the fees of the House may be saved. But I hope the gentlemen in the county will not determine so hastily for I am confident they will never get an Act upon better terms, if at all.

[1] The meeting of the Weaver Commissioners on 13 March at which alterations to the Bill were suggested, it being agreed that if these could not be obtained the Bill should still be proceeded with.

Sir Peter Warburton to Lord Strange. 11 March 1760 (copy).

Had I known things were so far advanced in town I could no more have asked your lordship to retract (upon my account) any articles you had admitted or to drop the Bill than I could have prevailed on myself to act contrary to my own hand writing and the sense of the gentlemen here. But as there are so many Cheshire gentlemen in town, members of Parliament, some of them of the greatest fortunes in the county and all of them Commissioners of the Weaver, as well as we who are of other sentiments, I have nothing more to say than that I have done my duty to the best of my judgment for the service of the county and to beg your lordship to proceed in whatever manner you think fit and to pardon me for all the trouble I have so unluckyly put you to.

John Stafford to Sir Peter Warburton. 13 March 1760.

I think all difficulties are now in great measure over . . . Mr. Wood seems to speak with great confidence that the Liverpool people will be satisfyed with 4 foot and a half water . . . I shall be glad to know whether the gentlemen in the county will be satisfyed if 4 foot and an half is determined upon here. It will save a good deal of expence and trouble if this point can thus be fixt . . . Mr. Pownall has sent me a £50 bank bill, which comes very seasonably.

John Stafford to Sir Peter Warburton. 14 March 1760.

The last post brought me a letter from Mr. Gorst . . . He threatens an opposition from the subscribers. If it should have this consequence, to occasion the dropping of the clause . . . relating to the reduction of the tonnage at the end of 15 years in all events, I should be very glad. But in other respects he'l only expose himself by the attempt and get no good, for I am not in the least apprehensive of the Bill miscarrying for anything he can do. But I believe it would give him great pleasure if he could bring about such an event . . .

As to the locks. If you observe the clause it extends only to such as are hereafter to be built as occasion shall require upon their being worn out, and does not put us under any necessity of altering the present locks. And if the width can be given in the lock intended to be built at Northwich, I see no objection to the clause.

Mr. Wood seems to think that 4 feet and an half all the way will be very sufficient and that it may be given without any extraordinary expence.

Lord Strange does not approve of the proposall of giving the Liverpool merchants the liberty of inspecting our accounts from time to time to give them an opportunity of seeing when the debt is paid off, as he thinks it will give them a right to inquire into the application of the tolls, and may possibly make the Trustees answerable for improper applications, which they may pretend retard the discharging the debt. And indeed I am afraid of making offers of any sort to them, for they will consent to nothing without having new concessions, and we have had too much of that work already. And I cannot forbear observing the concessions made at Warrington have but too much influence upon our two senators. I mean I see a willingness to support

'em as far as they can be supported and great pains taken to justify that proceeding.

John Stafford to Sir Peter Warburton. 18 March 1760.

The last post brought me a long letter from Mr. Heron with several remarks and alterations proposed to be made in the Bill . . . I have since been with Lord Strange and conferred with him about the alterations, some of which he approves but others he thinks improper.

I find the Liverpool gentlemen are fully bent upon having 5 feet water to Northwich, but will be content with 4 feet and an half above Northwich. This will most certainly be putting the trade of the upper river upon an unequal footing, but I know not how it can be helpt. Lord Strange says he will not consent to it, but expects it will be carried against him in the committee, as the merchants make a point of it and as they have a right to expect it, if it be practicable. And he says Berry assures them it may be done for a trifle of expence, £25 or some such matter, which the merchants say they'l be at the expence of themselves, rather than that it shall not be done. I am glad to find Mr. Golborn is viewing the river. But if he finds the giving 5 feet to Northwich and 4 feet and an half above is practicable without running into any extravagant expence, we had better come into it at once and save the costs of his journey up and the litigating the point before the committee, which will be very troublesome and may be the means of such delays as will put us by this session . . .

Mr. Wood has mony in town and can let me have £100, which may be repaid him at Winsford upon his return into the country, if Mr. Pownall can raise the wind there . . .

I grow most heartily tired of this business and am very sorry for the great plagues and vexation you have had about [it], but I hope the worst is over. However I cannot forbear observing to you that it is very lucky for us that Lord Strange has the conduct of the Bill and takes so much pains about it.

John Stafford to Sir Peter Warburton. 20 March 1760.

The Liverpool gentlemen have agreed to four feet 6 inches water, and if it is agreed to by the gentlemen below (and I find Lord Strange and Mr. Cholmondeley think it reasonable) there will be no necessity for Mr. Golborn's coming up, but I should be glad to know his reasons why the lock at Northwich cannot be the same width with the lowest lock, because Berry has confidently asserted to Lord Strange that it is capable of being made the same width and was always intended to be so to be.

Sir Peter Warburton to John Stafford. 22 March 1760 (copy).

. . . If we are obliged to make all the locks below Northwich as wide when they are new built as the lock at Pickerens is now . . . it will not only put the navigation to an immense expence, but when that is done the trade above Northwich must be inevitably ruined . . . I will take the liberty once more to repeat what I have so often said about the rates, and then trouble you no more. They were settled by the late undertakers, who had

a profit in keeping the river in debt by an advantage of six per cent for their money, and also another advantage by laying a low tonnage in point of trade in which they themselves were greatly concerned. And the Commissioners did not know till very lately the enormous weight they carryed for a ton, and therefore may think it hard to be obliged to abide by rates imposed by persons who had a twofold interest in keeping of them low, but I beg pardon, I have done.

John Stafford to Sir Peter Warburton. 27 March 1760.

I think I informed you in my last that the depth of water throughout the whole course of the navigation was agreed to be 4 feet and an half . . . But what to say to the width of the locks hereafter to be built, I know not. The Liverpool knight is such a spit fire there is no talking to him. He used me very ill about this matter, without the least pretence for it. And afterwards owned to Mr. Cholmondeley (as that gentleman tells me) that he was wrong and did not rightly understand the point, but has never had the good manners or decency to take the least notice of it to me. The different stations fortune has placed us in makes it necessary for me, in such a business as this, to stifle my resentment, but if he takes the liberty of treating me so cavelierly in a different place and on any other occasion, I will not bear it from him.

Mr. Cholmondeley and Mr. Wood, who are more interested in this point than any other persons and indeed they are almost the only parties that can be affected by it, for it signifyes not 6*d*. to the Liverpool people whether the Northwich Lock and those twixt that place and Winsford are 15 feet or 17 feet, they both told him they should be satisfyed with 16 feet and that it would answer no end, but throwing away money, to make 'em wider, yet he would not have it. Mr. Colquit proposed that the limited width should extend only to such locks as were below Northwich. But it signifyed nothing, the knight was determined there should not be the least further alteration in any part of the Bill, for this wise reason, because he had wrote down to Liverpool the post before that every thing was agreed on, without considering that in the progress of this affair many things will occurr that must necessarily occasion alterations, though the principal points are agreed on. But I am determined to have no further altercations with him. It is happy for us that Lord Strange has the conduct of the Bill, and I hope we shall by his means get the clause altered so as not to oblige us to make the lock at Northwich and those above it wider than is absolutely necessary . . . But I have not any expectations of succeeding so far as to have the whole clause struck out. If we can confine the obligation to the locks below Northwich, I shall think it a great point gained, but I am doubtful of it . . .

Mr. Cholmondeley has wrote to Mr. Gorst with some warmth and great strength of reason condemning his conduct and endeavouring to disswade him from giving any opposition. The consequence has been this, that instead of sending the petition to Mr. Cholmondeley to present, he sent it to Sir Lynch Cotton, who desired to be excused from having anything to do with it. What use, if any, is designed to be made of it, I know not . . .

Your observation about the rates is very just, but the unlucky meeting

at Warrington put us under such difficulties that we are under the necessity of making concessions we should otherwise [have] stood clear of. I have not seen Lord Strange of several days, having plagued him so often, that I avoid going to him unless there is real necessity. And indeed he has always received me with great civility and good nature and is absolutely the best to do business with, I ever attended . . .

John Stafford to Sir Peter Warburton. 29 March 1760.

The petition was presented yesterday and received as a matter of course and referred to the committee, who meet on Munday. But the gentleman to whom it was sent to sollicite it, told me to-day that as he was not furnisht with any proofs to support the allegations of the petition, he should not attend it by councel and would give us very little trouble. He condemns the proceeding with great freedom and I don't find the gentleman, who has given himself so much trouble on this occasion, has any one friend here to speak in support of this measure. I most sincerely wish he was obliged to speak to it himself, for he would be roasted most daintily as he deserves . . . From what I have before mentioned you will conclude we are not very much alarmed with this petition . . .

John Stafford to Sir Peter Warburton. 2 April 1760.

On Munday the matter upon the petition of Messrs. Gorst & Co. was heard before the committee, when it appeared to the satisfaction of every gentleman who attended it, that the petition was frivalous and founded on false facts, which evidently appeared from the letters and papers, which Mr. Cholmondeley very luckily had with him and which he produced very candidly without endeavouring to skreen his friend in the least. And indeed I never saw a scheme (and such a one as you always suspected this to be, it hath really turned out) so cleanly dissected and laid open. I need not tell you who the operator was. I wish the projector had been present. His nephew came up post to attend with the deed, and gave evidence before the comittee that the subscribers were the only persons that offered to lend any money and that no one proposed to advance a farthing more. When very unluckily for him, a letter under his own hand was produced and read, which directly proved the contrary. Upon which he lookt very small. Mr. Cholmondeley endeavoured to excuse for him by offering to explain away his evidence, but the mark was stampt too deep. Lord Strange, who was compleatly master of the case, fetcht out from this same witness the very evidence which set forth the whole contrivance in a most glaring light. The consequence of which was that the petition was disregarded and instead of allowing 4 years time of continuance of the security at 5 per cent to the creditors, the clause which was intended as a matter of favour to them is struck out of the Bill. Indeed I wish it had not, because I know it will be lookt upon as the effect of resentment. But it really was not. For the true reason why it is expunged is because 'tis thought to be unconstitutional to oblige trustees for the publick to pay any higher rate of interest than they are under any necessity of paying. But as the gentlemen in the country gave the creditors reason to expect that they would keep their mony for

4 years at 5 per cent, I hope they'l think themselves bound in honour, though not by the Act of Parliament, so to do. The Bill being very long and there being many amendments, it took up two days to go through it . . .

(D) Financial Difficulties, April 1760 to February 1761

Thomas Slaughter to Sir Peter Warburton. 7 April 1760.

In regard to money affairs, if I had twenty thousand pounds by me I could lay it out to great advantage in the lead trade. I have applyed to some of the most noted sollicitors here for a thousand pounds to be lent upon the Northwich navigation. They none of them chuse to recomend it to their clyents, for they say its not a negotiable security because they cannot give notice to have it paid in. One of them tells me a clyent of his has a thousand pound to put out, and if you and Mr. Heron will give your bond and take the navigation security to yourselves, he, Mr. Brock, will ask his clyent if he will accept your joint bond for £1000 at £4 10 per cent. Therefore if you and Mr. Heron are willing to comply with his proposals, let me know directly, or rather write yourself to Mr. Brock . . .

Dorothy Parry Price to Lady Margaret Stanley. 15 May 1760.

I am going to be very troublesome to you, but I must request the favour of you to desire Sir Peter Warburton will let me know how soon my thousand pound may be paid in from the navigation. Mr. Price wrote in March last to give notice he would have it as soon as possible, but he finds from an Act of Parliament that has passed the House of Commons and is now in the House of Lords, that the power is to be intirely given to the Commissioners to do what they think proper and to pay it in as they please, seting aside the former agreement and the security we subscribers had, which I own I think is a little unjust and a proceeding very disadvantageous to everybody that has mony in there, as half a year is a proper notice, and as it is part of my fortune I hope Sir Peter won't scruple to let it be paid in September next.

Lady Margaret Stanley to Dorothy Parry Price. 26 May 1760 (copy).

Your favour my dear friend . . . I received on the 23rd and immediately communicated its contents to Sir Peter Warburton, which greatly surprized him having never heard that Mr. Price had given notice to have the £1000 due to him on the river Weaver paid in, and directly sent to Mere to enquire if either of the gentlemen there had heard of any such notice. It seems they were as great strangers to it as himself, save only that Mr. Brooke says that on the 12th of this month, but not before, Mr. Gorst mentioned to him in the way of conversation that Mr. Price had some intentions of calling in his money, but did not talk of giving any notice about it, or as if any had been given. However Sir Peter and the other gentlemen seem well pleased that Mr. Price will take in his money as they don't question being able to borrow it at a lower rate of interest. They intend to advertize a meeting

for the purpose to be held the beginning of July, and doubt not but to get the money ready for Mr. Price in September or sooner if he chuses it . . .

Lord Derby to ? Sir Peter Warburton. 5 September 1760.

I . . . am obliged to you for the notice of an opening to a loan upon your river, which I should willingly have closed with, but I have disposed of my money, more than my own occasions may soon require, upon a good security at £4 per cent. The lowness of the stocks at present is the occasion of several monied men purchasing into those funds, in hopes of a great rise whenever we shall be blessed with a peace ; and I suppose that is the cause of Mr. Lowndes' call upon your county. But as many have a different way of thinking, there is no doubt you will easily be supplyed upon public notice.

Thomas Gorst to Jonathan Brayne. 25 January 1761.

Having been told that you are appointed treasurer by the Trustees of the Weaver navigation, (and if so) I heartily wish you joy of that office, and on that account I thinke it proper to inform you . . . that the Trustees, in pursuance of notice given them by Messrs. Parker, William and John Seaman, and Moss, directed Mr. Pownall, then treasurer, to acquaint them that their money (which is £5500 principal) will be paid at Northwich on the 2nd of February next, and they depending on receiving it on that day, have engaged to pay £4500 of it at the same time, £3000 of which some gentlemen from Manchester will come to receive by appointment that day. The whole £18,000 being punctually all paid the day fixed for that purpose, by their agreement with the Commissioners &c., they can have no doubt but that so small a part of it will be as punctually repaid by the Trustees, and that there will be no disappointment, which would be of bad consequence.

John Stafford to Sir Peter Warburton. 2 February 1761.

. . . I plainly see Mr. Gorst wants to disappoint us all in his power, with a view, as I apprehend, to distress the Trustees into a compliance to pay the costs of the opposition his clyents gave to the proceedings in Parliament. When Mr. Tatton first spoke to Mr. Seaman he said he and his brother would advance mony to pay off Mr. Stanley's mortgage—afterwards he sent Mr. Tatton word his brother had engaged his mony, but he might have his £1000 till Mr. Stanley's mony came in—you will now see by the enclosed his £1000 is engaged since he promised Mr. Tatton might have it. And from the tenor of the whole letter I plainly see 'tis Mr. Gorst's doing. I told you before that £500, which was promised me, is stopt and as I believe from the same quarter . . . I am doing all in my power to raise the wind, but fear we shall not be able to muster up above £3000 in the whole, though I am not out of hopes of getting £800 more. But unless we could raise the whole £5500 he will gain his ends, and I have been so counteracted by him that it discourages me from stirring any more in the affair.

APPENDIX IV

DOCUMENTS, 1765 to 1766

ALL the following documents are among the Arley MSS.

An account of what passed at the meetings at Northwich and Newcastle relating to the Wilden Canal as far as Mr. Brayne and Mr. Pownall were concerned to the best of their memory.

On the 2nd May 1765 Mr. Richard Wedgwood [1] and Mr. Josiah Wedgwood attended the Committee of the river Weaver navigation at the Crown in Northwich and acquainted them that there was a design of making a navigable canal from Wilden to Frodsham Bridge and produced a paper or plan of the scheme, by which it appeared they did not then intend to come into the river Weaver navigation, and in order to induce them to join the Weaver, it was proposed and agreed that Mr. Pownall should attend and assist Mr. Henshall in surveying and taking proper levells of the country from Winsford Bridge to Lawton and where else it might be necessary, and the Trustees offered to admit them into the Weaver on easy terms, and accordingly a survey was begun on Monday the 6th and proper levells taken from Harecastle to Lawton and Alsager Heath to Winsford Bridge, and Mr. Josiah Wedgwood attended the first day and met them again the second day at Alsager Heath, and the promoters of the Wilden scheme afterwards caused surveys and levells to be taken from Lawton by Middlewich to the river Weaver at Northwich.

On the 13 May (the day advertized for a public meeting) Mr. Brayne and Mr. Pownall by order of the Committee attended a meeting at Newcastle, but very few gentlemen being there, nothing material was concluded on only another meeting appointed to be on 27 June, at which meeting Mr. Brayne attended in order to have received any proposals that might be made for their joining or coming into the Weaver navigation, but no proposals or offers of that kind were made by the promoters, though Mr. Brayne acquainted them with the reason of his attending there and that the Trustees of the river Weaver would be glad to accommodate them and take 'em into the Weaver on very easy terms. At a general meeting of the Trustees of the river Weaver navigation on 5 December Mr. Brayne and Mr. Pownall were ordered to apply to Mr. Josiah Wedgwood and such other material persons who were concerned in promoting the Wilden scheme to know their resolution if they would agree that their intended canal should communicate with the Weaver navigation, of which Mr. Josiah Wedgwood was immediately acquainted and at his request Mr. Brayne and Mr. Pownall went to Newcastle on Sunday following, and in the evening Mr. Wedgwood and about four or five others came to them at the inn, where a good deal of discourse was had about the affair, and Mr. Brayne acquainted them that the Trustees would admit them into the Weaver at 6*d*. a ton, to which Mr. Wedgwood said that there were

[1] Josiah Wedgwood's father-in-law.

but few gentlemen there, that several others were concerned whom he must consult, and would then send an answer. But no answer ever came to either Mr. Brayne or Mr. Pownall. The design of the proposed canal being to communicate with the Duke of Bridgewater's canal at Preston Brook and to be from thence carried on by one and the same canal to the river Mersey to or near Runcorn Gap, was never mentioned either to Mr. Brayne or Mr. Pownall at any of the said meetings.

George Heron to Sir Peter Warburton. 12 October 1765.

The message we received from Arley relieved me from my fears that you or Lady Betty [1] were not well, as we had not the pleasure of your company at the last Committee meeting, where our friend Corbett attended and spread a great alarm about the intended new navigation, which, he told us, the Duke of Bridgewater and Lord Gower had declared publickly they would have nothing to do with if it had any connection with the river Weaver, but would espouse it with all their weight if they would go upon a plan to avoid us (fine times when a duke and a lord shall take upon them to dictate to a whole country), and he expatiated much upon the necessity of our extending ours up the country so farr that a small cut would join us to the Severn and thereby open a communication between Liverpool and Bristol. We likewise received a sort of side message from the merchants of Liverpool that they had the interest of the Weaver much at heart, and that if an application were made to them they would espouse our interest. Mr. Corbett's scheme perhaps may be a good one (at least very advantageous for Isaac Wood to whom we recommended it to have a survey taken before our next meeting, and ventured to promise that if ever the scheme was put into execution he should be reimburzed), and so farr I acquiesced with them, but declared it my opinion that for the present (with our debt) we had nothing to do but to lye by on our guard till their scheme was fixed, and for this purpose we directed Mr. Brayne to attend any of their meetings which might happen between and our next. As to the Liverpool gentlemen, I thought it dangerous inviting them to anything, because if (in the course of the affair) any matter should arise, which might be good for the publick as well as our navigation and yet prove detrimental to their interest, we must be obliged to turn our backs upon them, and thereby make them for ever after our enemies; and I am the clearer in this opinion because I am entirely satisfied that if the interest of the river Weaver is connected with them, we shall have them for friends whether we invite or not, but if they can save a penny per ton by going another road, they would join hand and heart to ruin us, and it appears after all that their great kindness arises from this, they are apprehensive if the new navigation goes on, their balk trade will be hurt, as they can lay it down some pence per foot cheaper from Hull than Liverpool, on account of the nearer sittuation of that port to Norway, and this is demonstrable because when deal sells for 14 or 15 pence a foot at Liverpool, it takes only 12 or 13 at Hull. The consequence of our consultation was (that our constituents might not be able to charge us with

[1] Sir Peter Warburton married Elizabeth, daughter of Edward Stanley, 11th earl of Derby and sister of Lord Strange.

neglect) we ordered Brayne to write circular letters to all members of the Committee to attend our next month's meeting (by which time possibly their scheme might be fixed), that we might be preparing either to join hand in hand or to oppose them.

. . . Yesterday having the honour to dine with Lady Stamford at Hulms Chappell in her road to Envile, she mentioned that she had seen Brindley the other day and talked to him about this new navigation, which he told her was entirely dropped because (observe) the Duke of B[ridgewater] and Lord Gower were determined it should not go through the Weaver and imagined if they attempted to avoid it they should meet with a strong opposition. But, says my lady, I know them too well to mind what they say, and I could wish you to be on the watch, taking this with you, that if they propose any scheme that will injure the Weaver or this county, I will exert all my influence in the support of them, and will go to London at short notice for that purpose. And now my friend I have in a letter scarce legible laid before you what has occurred to me on our favourite Miss Weaver's account since I saw you, and one use I wish you to make of it is (as opportunity offers) to introduce it to, and engage on our behalf, our best of friends, Lord Strange . . .

Sir Peter Warburton to George Heron. 13 October 1765 (copy).

I am sorry to find you so much startled about our Weaver navigation and hope time will prove it a false alarm. For as to making any further personal application about it to Lord Strange, I must beg to be excused, having given him an infinite deal of trouble in this matter already, and I have no body but him to rely upon to defend me in Parliament against attacks of this nature on my property in other places, which I apprehend to be in as much danger from the Duke and these new navigators as the Weaver is. Should his Grace's scheme go forward and appear (as it seems to be) prejudicial to the security given by the Weaver to her creditors and to the revertion of the tonnage to the county, both which have been so lately established by Parliament and in the obtaining of which establishment his lordship has been so great a help to us, I make no doubt from his known love of justice of his being ready to assist our members in opposition to such arbitrary and oppressive proceedings, and I should think they ought to be applyed to and also the members of the city of Chester, and that Mr. Crewe should not be neglected, that they may use their utmost endeavours to prevent so great a blow to the county . . .

John Stafford to Samuel Wright, Knutsford. 3 January 1766 (copy).

As I suppose you may be desirous of hearing what past at the meeting at Woolsley Bridge on Monday, I doubt not you will readily excuse this long letter, which should have been sent sooner, but I had no opportunity of writing whilst on my return, and being obliged to call at several places I did not get home 'till last night.

I should in the first place tell you that in our way thither we fell in at Stone with the committee from the merchants (or rather the Corporation

of Liverpool) (vizt.) Mr. Tarlton and Mr. Scroop Colquit, and spent the evening together. They did not seem at all to be upon the reserve, but told us fairly that a scheme had been formed a considerable time ago, by the people of Burslem in conjuction with the Duke of Bridgewater, to make a navigable canal from Whieldon Ferry to the town of Liverpool, to which they had given encouragement, and had subscribed £200 out of their publick fund towards obtaining an Act for the purpose, being of opinion that canal navigations are much preferrable to river navigations. But that a petition had been brought to Liverpool lately by Mr. Tomkinson, with intent to get it signed by the merchants there, by which it appeared that the promoters of the scheme did not propose to carry the canal over the Mersey, but that it should fall into the Duke's canal at Agden and so go into the Mersey at the Hemp Stones. That as this scheme would by no means answer the purposes which the merchants of Liverpool had in view, the petition was not relished, but Mr. Tomkinson with Mr. Colquit having afterwards altered it, the petition had been signed by several. And they further added that if the canal from the Trent was to terminate at the Hempstones, it would be liable to the same objections with respect to stoppages by the neap tides as the Weaver navigation. And if the canal was to come at all into a river, they thought it would be better to fall into the Weaver, which Mr. Colquit said was as compleat and as good a river navigation as any in the kingdom. You may easily imagine this declaration was not very unpleasing to the friends of Miss Weaver.

The next morning we got to Woolsley Bridge by 11 o'clock and found very little company there, but in about an hour's time there was a very full meeting, and Lord Gower, Lord Grey, Mr. Bagot, Mr. Anson, Mr. Whitworth, and many of the neighbouring gentlemen attended. Lord Gower came with Mr. Gilbert to Litchfield the night before, where the Burslemites and others (as I understand) met them and settled the plan of operation for the next day.

As soon as the room at Woolsley Bridge appeared pretty full, Lord Gower opened the occasion of the meeting in a very proper manner and proposed an application to Parliament for an Act for making a navigable canal from Whieldon Ferry to the river Mersey, by which a communication might be made between the ports of Liverpool and Hull. When he had done, Mr. Whitworth (who I suppose was not of the privy councel and seemed to take our scheme of uniting the 3 great ports of Liverpool, Hull, and Bristol breast high) expatiated upon it and introduced the plan (which Mr. Pownall brought) for extending a canal from Winsford Bridge to Checkley and from thence to the Trent, and proposed that the larger scheme should be adopted.

He seemed to me to have a very honest way of thinking, but had not the art of persuasion, and was soon over ruled, it being said though the scheme he proposed was a very noble one, yet it was too large to be gone upon at once, and that what Lord Gower had proposed was enough for the present, and other improvements might be grafted upon it hereafter.

Mr. Gilbert then produced a petition, ready ingrossed, for leave to bring a Bill into Parliament for making a navigable canal from Whieldon Ferry in the county of Derby by Swarkston and several places in the county of Stafford (specifyed by their names, which I don't now recollect) and so by

Lawton and Astbury and over the rivers Dane and Peover in the county of Chester to the river Mersey in the county of Chester.

As soon as it was read, Mr. Tarlton (who as I thought seemed rather disconcerted) objected to the words *in the county of Chester* after the word *Mersey*, alledging that the river Mersey was in Lancashire, or at least was to be considered as the boundary between the two counties, upon which those words were struck out. And he further observed that a scheme had been proposed to carry on the canal over the Mersey to the town of Liverpool, but that if the canal was to stop at the Mersey how was that scheme to be executed ? He was answered by Mr. Gilbert that it might be done afterwards, upon a future application to Parliament, but that it was enough for the present to carry it to the Mersey. Upon which Mr. Colquit said he thought it wanted a little explanation, for that according to the common construction of the words *to the Mersey*, anybody would naturally conclude it was to go *into* and not *over* the Mersey. And both he and Mr. John Leigh several times desired Mr. Gilbert to mention the particular part of the Mersey that the canal was proposed to be brought to, but he very artfully parryed them off, and then introduced the plan for carrying the scheme into execution (vizt.), that a sum necessary for the purpose should be raised by subscription and divided into lotts or shares of £200 each, to be transferrable, that none should have more shares than 20, that the subscribers should have 5 per cent from the time of advancing their money 'till the works were compleated, and that the tonnage should be for the benefit of the subscribers in proportion to their subscriptions &c., but I shall not need to be more particular on this head, because you'l see the plan very soon in the publick papers.

Mr. Gilbert then called upon Mr. Brindley to shew the practicability of the undertaking and the expence which might probably attend it. He began with asking Brindley the distance between Whieldon Ferry and Harecastle. I forget how many miles he called it, but he computed that this part of the canal might be made for £700 a mile upon an average, including the purchase of the land and all expences, it being chiefly upon a dead level. He was then asked as to the practicability of the subterraneous passage through the hill at Harecastle. To which he answered that Mr. Smeeton as well as himself had sometime ago viewed the ground and that they both thought it practicable to drive the canal through it in such a manner as to answer the purposes of the navigation effectually, that he thought the passage and ground would be about one mile and an half, and that the expence of making it would amount to £10,000 or thereabouts.

The subterraneous passage (as I understood) would proceed pretty near to the confines of Cheshire. He was then asked the distance from thence to the Mersey. He said he supposed it to be about 25 miles. Then what would be the expence of making those 25 miles ? He answered that the grounds through Cheshire were very unequal, and that the canal was to be carried over the Dane and the Peover when it came into that county, and would be attended with very extraordinary expence, and that he imagined it would cost £2000 a mile one with another. Mr. Gilbert then asked if it might not be done for £1500 per mile ; he said no, £2000 was rather too little. Mr. Tarlton and Mr. John Leigh both then observed that from the confines

of Cheshire near Burslem to the Mersey was above 25 miles, that it was 25 miles at least to the Duke's canal at Agden, and that there was a considerable space 'twixt Agden and the Mersey. But Mr. Gilbert turned the deaf ear upon them and went on with his calculations (to witt) from Whieldon Ferry to Harecastle £41,000, subterraneous passage £10,000, from thence to the Mersey, 25 miles at £2000 per mile, £50,000 ; in all £101,000. Gentlemen, the whole expence you see according to Mr. Brindley's calculation comes to £101,000. And imediately, without entering into any debate, he pulled out 2 subscription papers, one for carrying on this grand design, the other towards defraying the expence of obtaining the Act of Parliament, and passed a very handsome compliment upon the Liverpool gentlemen as having already subscribed £200 towards obtaining the Act to carry so noble a design into execution. Upon which I could not forbear thinking the representatives of those gentlemen, attending this meeting, looked rather simplish, for (as I understood them) the £200 was agreed to be given upon a supposition that the canal was to be carryed on to the town of Liverpool, whereas it now appeared very evidently that the Duke had no such design. And that the pretence of carrying on the canal for the present only *to* and not *over* the Mersey was a meer artifice to disguise his real intention, which is apparently this, (vizt.) that the canal from Whieldon Ferry shall join his at Agden, and from thence proceed upon his canal to the Mersey at a place (you have often heard of) called Hemp Stones. And a glorious scheme it will be for him if he can draw all the carriage between the two great ports of Liverpool and Hull and a great deal from the interior parts of the country into his canal.

I cannot forbear thinking the Liverpool gentlemen have been rather hum'd in this business, and if they see it in the light I do, I hope they'l resent it. In my return from Woolsley Bridge I spent the evening at Stone with Mr. Tarlton and Mr. Colquit and though they did not show any signs of displeasure, I could not forbear observing that they repeated it more than once that the navigation from the Hemp Stones to Liverpool would be lyable to the like objections as had been made to the Weaver navigation, and that the latter in several respects would be preferrable.

I must not omit acquainting you that at the meeting at Woolsley Bridge, a gentleman in the interest of the Duke and Lord Gower (whose face I had quite forgot till be renewed his acquaintance) came up to me and asked whether the Cheshire gentlemen were come to oppose the scheme. I answered, by no means. They approved of it greatly and came only to hear how it was to be conducted, and to invite the Staffordshire gentlemen to enlarge and improve the plan. But I said I thought it was very extraordinary, considering that the canal was proposed to cross the county of Chester (though I did not hear the levells had ever been taken), that the gentlemen of that county had never been conferred with about it. He said the reason was because Mr. Brindley had been interrupted in Cheshire from taking the levells. I suppose he meant by Mr. Brooke of the Hermitage, though he named nobody. And I imagine this circumstance will be made use of as an excuse for bringing their petition into the House in such general terms, the promoters of the scheme (as they will pretend) not having been able, by

reason of such obstruction, to ascertain any particular part of the river Mersey to which the canal is to be brought, and also to serve for an excuse for their not coming fully prepared with the course of the canal to lay before the House ; and that if the canal must be delienated (which I suppose they'l endeavour to avoid) they will probably alledge they must be enabled by authority of Parliament to take the levells &c., or otherwise they can't do it without interruption.

As nothing was said at the meeting concerning the Weaver navigation that could lead to any debate upon it, Sir H. Manwaring and the other Cheshire gentlemen thought it best to be silent, but Sir H. took the state of that navigation, as you had drawn it up, to give to Lord Grey when he returned to Enville, thinking it better (in the situation Lord Grey appeared at the meeting as one of the members for the county of Stafford) to say nothing to him about it there.

And as to the Macclesfield scheme, it was not even so much as once mentioned, so contemptible are we in the eyes of the great schemers of Staffordshire. For my part I was not sorry for it, but my neighbour Roe wishes he had been there, and thinks he could have made it very evident that our scheme will show the Burslamites &c. the way into the Weaver, as it will give them an opportunity at the crossing of the two canals to go to Liverpool either by Northwich or the Hemp Stones, as they please. And their own interest (the surest director) will certainly lead them to Northwich as they may go by that course to Liverpool upon much easier terms than the other ; the tonnage upon the canal 'till it joins the Duke's being proposed to be 1*s.* 6*d.* for every 10 miles, and when it comes into the Duke's tis 2*s.* 6*d.*, unless he thinks proper to lower it, which he may very well afford if he can draw all the carriage from the Whieldon Canal into his.

By that means I presume he will become the largest dealer as a carrier in Europe ; with this peculiar circumstance that he'l in a great measure be unaccountable for any *miscarriages*, as it will be much more prudent for a party injured to sit down with the loss than to seek any other recompence than what he will graciously condescend to give. A monopoly in the hands of a peer of the realm, refusing to waive his priviledge, seems such a monster as I hope this land of liberty will never suffer to live.

Don't think from this flight that I'm writing to you from a garret in Grub Street. I will have mercy on you and stop my carreer, but I cannot conclude without observing to you that I have reason to believe the Burslamites (who first projected this grand scheme) would have been willing enough to have come into the Weaver (as the better navigation to Liverpool than from the Hempstones), but that they found the weight and influence of Lord Gower and the other friends of the Duke's in Staffordshire was so powerful that they could never have got their scheme forward if they had not joined the Duke. And I am now convinced more than ever that our scheme will not only be very beneficial to the interior parts of the county, but also be a very great advantage to the Weaver navigation. And I hope nothing will obstruct it, as Mr. Roe tells me that Sir George Warren has given up the lower levell, being convinced it is impracticable.

Mr. Brindley and the Duke's agents give out that if our scheme goes on,

the Whieldon navigation cannot, because it will drain all their water by cutting into the canal, and therefore that ours ought to give way to, and not obstruct, so grand a design as the other. But this is a meer artifice given out to prejudice the country against ours and to colour his design of putting a bar to all other canal navigations in these parts, save such as shall join his. Besides the assertion is false in fact, for the two canals will cross upon a dead level. But if it was otherwise, by locking down, both may be passable without obstruction from the crossing, by which means the publick will be more likely to be better served in having two ways than by being confined to one. And I think the two canals cannot hurt, but may help each other, with respect to the general good of the county, though it is possible the particular interest of the Duke may suffer from it.

I begin to think myself navigation mad and that I shall never stop, but I will readily say no more but that I want sadly to see [you] and talk out the rest . . .

[P.S.] I had almost forgot to tell you that Lord Gower subscribed £2000 to the general scheme and £100 towards the expence of the Act; several other gentlemen subscribed £1000 apiece and in the whole I believe there was not above £20,000 subscribed to the grand design nor above £400 towards the expence of the Act. And I think it doubtful whether they'l be able to fill up their subscription. So large a plan seems more proper for a national undertaking than for private persons, for notwithstanding Mr. B.'s calculations, I should think twice the sum won't compleat the whole. The two Liverpool gentlemen that attended the meeting were asked to sign the petition and to subscribe, but declined it.

George Legh to Sir Peter Warburton. 14 January 1766.

Having heard that you had drawn up some reasons against making a canal from Windsford to Cheeckley at the expence of the river Weever and left a copy of them with Mr. Leycester, I sent to desire a sight of them. I intirely concur with you in opinion of the danger as well as the impropriety of the Commissioners of the river Weever adopting that scheme . . . Perhaps the Nantwich gentlemen may think it proper to have a Bill for making a canal from Windsford to or beyond Checkley for the advantage of bringing coals cheaper to them from Staffordshire, and also mercantile goods cheaper from Liverpool upon a composition of tonnage tolls on the Weever. To this I presume we should not object. But whether they'll be able to fix a scheme for such an undertaking this session, I don't know.

As the river Weever above Northwich is subject to floods, and winds and twists in its rout, and the locks I apprehend will want altering and mending, would it not be proper and be cheaper and better to make a canal all the way (or the greatest part of it) from Windsford to Northwich? One of the wears now made would be sufficient to throw water enough to supply the canal and the water in the river would pass more freely. This I suppose you may do by your present Act.

I suppose Mr. Pownall is to go up to London to prove the navigation from Northwich to Frodsham to be good and effectual and answerable for greater purposes than the Duke's canal, as it will bear vessels of great burthen

able to go directly with their loading to Ireland &c., which the Duke's boats cannot do. And also to prove the great quantity of salt annually sent by land carriage to Manchester and from thence into Yorkshire. A proof of this sort will certainly be advantageous to the Bill for a canal from Northwich to Manchester.

George Heron to Sir Peter Warburton. 1 February 1766.

. . . I wrote to Stafford this day and told him I heard that the Weilden schemers, that is their agents, Gilbert and Brindley, had declared they had no sort of intention of taking either the river Deane, Peover Eye or Wades Brooke. I added if they really had not, I supposed they would not object to a clause I wished him immediately to propose to them, viz. that they should not take them or any other streams which were a supply to our navigation.

At Wolsley Bridge the Liverpool gentlemen were candid enough to own that ours was a better navigation than the Mersey. I hear the scheme of a still canal to that town is found impracticable, which opens a plea to object to their going from Hare Castle into the Duke at Agden to go into the Mersey through him, as our proposal of permitting any goods brought by a new navigation into us to be carried for 20 miles at six pence a ton tonnage dues, against cutting through the county on the side of us in order to carry the same weight for 2*s*. 6*d*. advanced prices, and I wish that he might have the instructions of the Committee to litigate both these clauses to the uttermost ; the expence can't be a great deal as all the necessary evidences to prove the capability of our river are in town.[1]

Sir Peter Warburton to George Heron. 2 February 1766 (copy).

Any engagement to make the Weaver answerable for a fresh loan must give umbrage to the present creditors and in my opinion any such engagement would be unjust, dishonourable, and illegal, and I am fully persuaded that should the income of the Weaver be greatly augmented by tonnages accumulating from foreign parts, it will be taken from the county either by the application of merchants and others in trade and sunk into the benefit of trade, or be considered as an object worthy of parliamentary inquiry, and for that reason the river will be laid open to the publick and the county of Chester be deprived of the reversion. And therefore I must again declare my opinion that it is best for the Trustees for the Weaver to sit still and wait for events, and only give Mr. Stafford directions from the Committy to exert himself to the utmost in support of the Weaver's present right and interest.

[1] Heron's emotion over the " Weilden schemers " seems to have played havoc with his syntax, but the meaning of his ungrammatical sentence seems fairly clear, namely that there was no justification for joining the Trent and Mersey Canal with the Duke's canal, upon which goods would have to pay a toll of 2*s*. 6*d*. a ton, when such goods could be carried on the Weaver for 6*d*. a ton.

APPENDIX V

STATISTICS

(A) Revenue from Tonnage Dues, 1732 to 1800

These figures of the amount of revenue derived from tonnage dues have been taken from the Weaver Account Books at Chester. Shillings and pence have been omitted.

1 Jan.	1732	to 29 Sept.	1733	. . . .	£1684
29 Sept.	1733	to ,,	1734	. . . .	£1609
,,	1734	to ,,	1735	. . . .	£1137
,,	1735	to ,,	1736	. . . .	£1869
,,	1736	to ,,	1737	. . . .	£1782
,,	1737	to ,,	1738	. . . .	£1552
,,	1738	to ,,	1739	. . . .	£1569
,,	1739	to ,,	1740	. . . .	£1728
,,	1740	to ,,	1741	. . . .	£2252
,,	1741	to ,,	1742	. . . .	£2322
,,	1742	to ,,	1743	. . . .	£1866
,,	1743	to ,,	1744	. . . .	£1434
,,	1744	to ,,	1745	. . . .	£1821
,,	1745	to ,,	1746	. . . .	£2437
,,	1746	to ,,	1747	. . . .	£2541
,,	1747	to ,,	1748	. . . .	£2342
,,	1748	to ,,	1749	. . . .	£2131
,,	1749	to ,,	1750	. . . .	£2634
,,	1750	to ,,	1751	. . . .	£2678
,,	1751	to ,,	1752	. . . .	£2492
,,	1752	to ,,	1753	. . . .	£2560
,,	1753	to ,,	1754	. . . .	£2386
,,	1754	to ,,	1755	. . . .	£2778
,,	1755	to ,,	1756	. . . .	£2690
,,	1756	to ,,	1757	. . . .	£3623
,,	1757	to ,,	1758	. . . .	£3530
,,	1758	to 5 April	1759 [1]	. . . .	£1477
6 April	1759	to ,,	1760	. . . .	£3513
,,	1760	to ,,	1761	. . . .	£3624
,,	1761	to ,,	1762	. . . .	£3814
,,	1762	to ,,	1763	. . . .	£4543
,,	1763	to ,,	1764	. . . .	£3976
,,	1764	to ,,	1765	. . . .	£4348
,,	1765	to ,,	1766	. . . .	£4550

[1] By an order of the Commissioners, dated 2 April 1759, the end of their financial year was changed from 29 September to 5 April.

6 April	1766	to	5 April	1767	£4657
,,	1767	to	,,	1768	£4780
,,	1768	to	,,	1769	£5291
,,	1769	to	,,	1770	£6049
,,	1770	to	,,	1771	£6366
,,	1771	to	,,	1772	£7221
,,	1772	to	,,	1773	£7716
,,	1773	to	,,	1774	£7252
,,	1774	to	,,	1775	£7090
,,	1775	to	,,	1776	£6062 [1]
,,	1776	to	,,	1777	£5430
,,	1777	to	,,	1778	£5360
,,	1778	to	,,	1779	£4688
,,	1779	to	,,	1780	£4525
,,	1780	to	,,	1781	£4661
,,	1781	to	,,	1782	£5331
,,	1782	to	,,	1783	£5939
,,	1783	to	,,	1784	£6917
,,	1784	to	,,	1785	£7159
,,	1785	to	,,	1786	£6797
,,	1786	to	,,	1787	£7195
,,	1787	to	,,	1788	£8188
,,	1788	to	,,	1789	£7518
,,	1789	to	,,	1790	£8013
,,	1790	to	,,	1791	£8780
,,	1791	to	,,	1792	£8844
,,	1792	to	,,	1793	£7922
,,	1793	to	,,	1794	£8736
,,	1794	to	,,	1795	£7857
,,	1795	to	,,	1796	£10293
,,	1796	to	,,	1797	£11307
,,	1797	to	,,	1798	£10686
,,	1798	to	,,	1799	£11119
,,	1799	to	,,	1800	£12234

(B) Tonnage of Goods carried on the Weaver, 1759 to 1800

The following tonnage figures have been taken from the Weaver Account Books at Chester. These Account Books give quarterly summaries of tonnage from 1759. Before 1759 a series of Tonnage Books gives the actual cargoes in detail, but without any quarterly or annual summary of the trade. It would be possible to compile statistics of the annual trade of the river from these Tonnage Books, but that would be a very laborious task, which hardly seems necessary as the figures of revenue from tonnage dues show the development of the trade before 1759. In the following tables the year runs from 6 April to 5 April, and the totals are given in tons and hundredweights, 40 bushels of salt being reckoned as one ton.

[1] By the Act of 1760 the maximum tolls were reduced from 1*s.* 3*d.* to 1*s.* a ton after 29 September 1775.

	1759–1760						1760–1761					
	Northwich		Winsford		Total		Northwich		Winsford		Total	
	tons	bush.	tons	bush.	tons	bush.	tons	bush.	tons	bush.	tons	bush.
White salt	15168	12	2528	32	17697	4	17806	34	3113	8	20920	2
Rock salt	22880	11			22880	11	20645	38			20645	38
	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.
Coal	13016	19	281		13297	19	12898	11	528		13426	11
Pipe clay	750	7	1468	13	2219		492		1551	4	2043	4
Flintstones	126		91	4	217	4	10		689	7	699	7
Paving stones	36	18[1]			36	18	186[2]				186	
Slate	138		36		174		201		16		217	
Limestone	159				159		195	18		2[3]	196	
Brick	46	15			46	15	37	6			37	6
Pig metal	36				36				616	5[4]	616	5
Burr stone							1	13			1	13
Ashlar							72	12			72	12
Grindstone								12				12
Sand												
Cinders												
Gravel												
Merchants' goods	1164	12	1160	2[5]	2324	14	1201	3	1375	1	2576	4
Total	53523	2	5565	15	59088	17	53749	11	7889	3	61638	14

[1] Including 11 tons 8 cwt. of flag.
[2] Including 4 tons 10 cwt. of flag and 10 cwt. tiles.
[3] Lime.
[4] Including 137 tons 12 cwt. ironstone.
[5] Including 114 tons 18 cwt. earthenware and 32 tons 18 cwt. calamine, which were recorded separately in 1759–1760, but were included in merchants' goods in other years.

	1761–1762						1762–1763					
	Northwich		Winsford		Total		Northwich		Winsford		Total	
	tons	bush.	tons	bush.	tons	bush.	tons	bush.	tons	bush.	tons	bush.
White salt	16244	1	4015	22	20259	23	20255	33	3097	27	23353	20
Rock salt	23937	24			23937	24	30391	13			30391	13
	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.
Coal	12784	16	1090		13874	16	14567	15	542	10	15110	5
Pipe clay	883	18	1534	1	2417	19	941	18[1]	2877	2	3819	
Flintstones	18		131	4	149	4	102		50		152	
Paving stones	103		15		118		228	18[2]	2[3]		230	18
Slate	92	12	102		194	12	207	16	78	15	286	11
Limestone	209	10	9	8	218	18	208				208	
Brick	20	7			20	7	20	7			20	7
Pig metal			588	18	588	18			536	1	536	1
Burr stone	34	10	1		35	10	37	14			37	14
Ashlar	42	10[4]			42	10	1	7[5]			1	7
Grindstone		15[6]	1		1	15						
Sand		4				4	3				3	
Cinders	5				5							
Gravel	69				69		95				95	
Merchants' goods	1218	14	1578	6	2797		1085	8	1621	11	2706	19
Total	55664	8	9066	8	64730	16	68146	6	8805	12	76951	18

[1] 15 cwt. described as loam clay.
[2] Including 11 tons 16 cwt. flag and 6 cwt. tiles.
[3] Tiles.
[4] Including 2 tons 10 cwt. marble.
[5] 1 ton "ridging stones" and 7 cwt. marble.
[6] A stone cistern.

	1763–1764						1764–1765					
	Northwich		Winsford		Total		Northwich		Winsford		Total	
	tons	bush.	tons	bush.	tons	bush.	tons	bush.	tons	bush.	tons	bush.
White salt	17577	25	3821	35	21399	20	21361	39	3700		25061	39
Rock salt	21411	22			21411	22	24510	20			24510	20
	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.
Coal	16129	19	368		16497	19	14264	15	689		14953	15
Pipe clay	358	3[1]	2296	15	2654	18	319		1989	13	2308	13
Flintstones	237		889	13	1126	13	349	3	1431	9	1780	12
Paving stones	101	19[2]			101	19	199	14			199	14
Slate	96	12	84		180	12	44		74		118	
Limestone	151		28		179		65	16	42		107	16
Brick		15				15	13	6[3]	1		14	6
Pig metal			670		670				640	16	640	16
Burr stone	54	10			54	10	106				106	
Ashlar												
Grindstone			12[4]		12			4	3[4]		3	4
Sand												
Cinders							50				50	
Gravel												
Merchants' goods	1560	5	2205	4	3765	9	1890	6	2027	17	3918	3
Total	57679	6½	10375	9½	8054	16	63174	13	10598	15	73773	8

[1] 3 cwt. described as loam clay.
[2] Including 2 tons 19 cwt. tiles.
[3] Described as Flanders brick.
[4] Millstones.

	1765-1766						1766-1767					
	Northwich		Winsford		Total		Northwich		Winsford		Total	
	tons	bush.	tons	bush.	tons	bush.	tons	bush.	tons	bush.	tons	bush.
White salt	19256	34	4755	8	24012	2	18699	25	3637	24	22337	9
Rock salt	26517	20			26517	20	28397	10			28397	10
	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.
Coal	14705	4	1116	11	15821	15	16186	10	1252	10	17439	
Pipe clay	489	19[1]	2785	1	3275		327		3555		3882	
Flintstones	332	2	1165	10	1497	12	250	14	358	10	609	4
Paving stones	201	2[2]			201	2	501[3]				501	
Slate	100	10	102		202	10	149	2	223		372	2
Limestone	88		24		112		78				78	
Brick							91	16			91	16
Pig metal	10		627	19	637	19			590	9	590	9
Burr stone	316				316		28				28	
Ashlar							40	4			40	4
Grindstone	1	6	12[4]		13	6	1		7	10[4]	8	10
Sand								10				10
Cinders							20				20	
Gravel	10				10							
Merchants' goods	2130	19	2633	2	4764	1	2565	9	2459	12	5025	1
Total	64159	9	13221	7	77380	16	67336	2	2084	3	79420	5

[1] 19 tons 9 cwt. described as loam clay.
[2] Including 2 cwt. flag.
[3] Including 137 tons 8 cwt. flag.
[4] Casting stones.

	1767–1768						1768–1769					
	Northwich		Winsford		Total		Northwich		Winsford		Total	
	tons	bush.	tons	bush.	tons	bush.	tons	bush.	tons	bush.	tons	bush.
White salt	22837	30	3419		26256	30	23306	6	3780	38	27087	4
Rock salt	27058	28			27058	28	31621				31621	
	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.
Coal	16736	10	1336	10	18073		19433	12	2086		21519	12
Pipe clay	314[1]		3168	8	3482	8	1284	6	2457		3741	6
Flintstones	164		232	8	396	8	263	19	245	15	509	14
Paving stones	120				120		35				35	
Slate	242	17	134		376	17	174		66		240	
Limestone	124				124		285	4	10		295	4
Brick	10	10			10	10	85	10			85	10
Pig metal			524	12	524	12			469	13	469	13
Burr stone	476		25		501		430	10	28		458	10
Ashlar	3	4			3	4						
Grindstone			9[2]		9							
Sand												
Cinders	106				106		20				20	
Gravel	17				17		146	10			146	10
Merchants' goods	1960	17	2578	14	4539	11	1806	11	2535	12	4342	3
Total	70171	7	11427	12	81598	19	78892	5	11678	19	90571	4

[1] 41 tons described as potters' clay.

[2] Casting stones.

	1769–1770						1770–1771					
	Northwich		Winsford		Total		Northwich		Winsford		Total	
	tons	bush.	tons	bush.	tons	bush.	tons	bush.	tons	bush.	tons	bush.
White salt	28776	14	5201	18	33977	32	33079	29	3908	17	36988	6
Rock salt	32517	23			32517	23	32424	11			32424	11
	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.
Coal	22322	12	2007	10	24330	2	24374	10	1299	15	25674	5
Pipe clay	187		2903	1	3090	1	786		3659	13	4445	13
Flintstones	213	7	161		374	7	233	9	168	4	401	13
Paving stones	126	10			126	10	94	10[1]	27		121	10
Slate	227	10	132		359	10	178	17	139	15	318	12
Limestone	207	4	9		216	4	398	15			398	15
Brick	412	12			412	12	343	3	291		634	3
Pig metal			671	5	671	5			510	1	510	1
Burr stone	1084	5			1084	5	644				644	
Ashlar		12[2]				12	1	10			1	10
Grindstone			1	5[3]	1	5						
Sand	1				1							
Cinders	22				22		30				30	
Gravel	77				77		1235				1235	
Merchants' goods	3002	3	3219	8	6221	11	3296	8	3181	9	6477	17
Total	89177	13	14305	18	103483	11	97120	2	13185	5	110305	7

[1] Including 13 tons flag. [2] Ridging stone. [3] Millstones.

	1771–1772						1772–1773					
	Northwich		Winsford		Total		Northwich		Winsford		Total	
	tons	bush.	tons	bush.	tons	bush.	tons	bush.	tons	bush.	tons	bush.
White salt	39424	16	4263	5	43687	21	38993	21	4324	6	43317	27
Rock salt	34253	12			34253	12	38585	8			38585	8
	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.
Coal	29116	10	1409		30525	10	33080	9	2206	10	35286	19
Pipe clay	1104	3	3808	16	4912	19	673	14	4103	1	4776	15
Flintstones	574	13	797	8	1372	1	133		147	9	280	9
Paving stones	49				49		126				126	
Slate	170	19	143		313	19	252	9	267	16	520	5
Limestone	192				192		721				721	
Brick	291				291		2504	14	54		2558	14
Pig metal			504	3	504	3			424	2	424	2
Burr stone	1259				1259		485		81		566	
Ashlar	5				5		98				98	
Grindstone	1	17[1]			1	17						
Sand		12				12	38				38	
Cinders	30				30		8				8	
Gravel	4				4							
Merchants' goods	3140	15	3950	7	7091	2	3206	11	3291	6	6497	17
Total	109617	3	14875	16	124492	19	118905	11	14899	7	133804	18

[1] Including 1 ton millstones.

	1773–1774						1774–1775					
	Northwich		Winsford		Total		Northwich		Winsford		Total	
	tons	bush.	tons	bush.	tons	bush.	tons	bush.	tons	bush.	tons	bush.
White salt	36239	4	3950	28	40189	32	33271	37	3211	9	36483	6
Rock salt	39215	23			39215	23	41233	37			41233	37
	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.
Coal	29869	15	2237	5	32107		28984	13	1918	10	30903	3
Pipe clay	348	15	1964	14	2313	9	146		1516	14	1662	14
Flintstones	268	6	48		316	6			277	1	277	1
Paving stones	239	16[1]			239	16	360	14[2]	78		438	14
Slate	402	17	71	15	474	12	206	10	196	5	402	15
Limestone	373		24		397		310				310	
Brick	1148	4			1148	4	2229	4			2229	4
Pig metal			473	9	473	9			583	15	583	15
Burr stone	1348	5	157		1505	5	450	8	150		600	8
Ashlar	506				506		3				3	
Grindstone									3[3]		3	
Sand							12				12	
Cinders	152				152		36				36	
Gravel							44				44	
Merchants' goods	3389	7	3219	3	6608	10	3687	3	3158	19	6846	2
Total	113500	18	12146		125646	18	110975	9	11093	8	122068	17

[1] Including 4 tons 16 cwt. flag.
[2] Including 44 tons 14 cwt. flag.
[3] Millstones.

	1775–1776						1776–1777					
	Northwich		Winsford		Total		Northwich		Winsford		Total	
	tons	bush.	tons	bush.	tons	bush.	tons	bush.	tons	bush.	tons	bush.
White salt	31006	3	2408	22	33414	25	24583	9	2462	39	27046	8
Rock salt	39784	39			39784	39	44579	36			44579	36
	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.
Coal	24199	3	1344	10	25543	13	22935	13	1176	10	24112	3
Pipe clay	23	14[1]	2084	3	2107	17	7		4473	18[2]	4480	18
Flintstones	286		533	16[3]	819	16	137		543	10[4]	680	10
Paving stones	205		182		387		593[5]		46	10[6]	639	10
Slate	246	17	130	10	377	7	149	4	262	1	411	5
Limestone	675	10			675	10	561	5[7]	69	5[8]	630	10
Brick	320	5	30		350	5	229	4	36		265	4
Pig metal			313	16	313	16	89	10	327	17	417	7
Burr stone	185		58		243		364		91		455	
Ashlar									10	10	10	10
Grindstone	1				1		1[9]		1	10[9]	2	10
Sand	11				11							
Cinders	8				8							
Gravel	78				78		134				134	
Merchants' goods	2647	6	3550	5	6197	11	1757	12	4415	16	6173	8
Total	99677	16	10635	11	110313	7	96121	10½	13917	6½	110038	17

[1] 21 tons 4 cwt. loam clay and 2 tons 10 cwt. fire clay.
[2] Including 40 tons loam clay.
[3] Including 3 tons ground flint.
[4] Including 7 tons 18 cwt. ground flint.
[5] Including 22 tons hearth stones.
[6] Including 14 tons flag.
[7] Including 43 tons 5 cwt. lime.
[8] Including 1 ton 10 cwt. lime.
[9] Millstones.

	1777–1778						1778–1779					
	Northwich		Winsford		Total		Northwich		Winsford		Total	
	tons	bush.	tons	bush.	tons	bush.	tons	bush.	tons	bush.	tons	bush.
White salt	29981	38	3298	36	33280	34	25533	10	2552	31	28086	1
Rock salt	43566				43566		38953				38953	
	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.
Coal	19813	16	1670	10	21484	6	19884		1529		21413	
Pipe clay	855	19	1641	9	2497	8	238	15	593	14	832	9
Flintstones	228	15	385	8[1]	614	3	310		371	12[2]	681	12
Paving stones	139	17[3]			139	17	213				213	
Slate	282	6	7		289	6	24		6		30	
Limestone	140	2[4]	80		220	2	176	12[5]			176	12
Brick	63	10			63	10	68	5			68	5
Pig metal	61	8	211	15	273	3	109	10	61	16	171	6
Burr stone	34				34		118		59		177	
Ashlar												
Grindstone												
Sand												
Cinders	33				33							
Gravel	4				4		7	10			7	10
Merchants' goods	2614	7	2465	17	5080	4	2461	12	894	7	3355	19
Total	97818	19	9760	17	107579	16	88097	9	6068	4	94165	13

[1] Including 12 tons 16 cwt. ground flint.
[2] Including 33 tons 4 cwt. ground flint.
[3] Including 18 tons 17 cwt. flag.
[4] Including 4 tons 12 cwt. lime.
[5] Including 2 tons 12 cwt. lime.

	1779–1780						1780–1781					
	Northwich		Winsford		Total		Northwich		Winsford		Total	
	tons	bush.	tons	bush.	tons	bush.	tons	bush.	tons	bush.	tons	bush.
White salt	25580	32	2510	8	28091		35814	36	3192	27	39007	23
Rock salt	40170	32			40170	32	27518				27518	
	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.
Coal	16792	1	1310		18102	1	20963	15	1202		22165	15
Pipe clay	378		613	10	991	10	1074		532	10	1606	10
Flintstones			157	15[1]	157	15			123	12[2]	123	12
Paving stones	194				194							
Slate	90	10			90	10	129	18			129	18
Limestone	85	7[3]			85	7	38				38	
Brick	6				6		19				19	
Pig metal	54	16	116	7	171	3	78		31	11	109	11
Burr stone	201		34		235		141				141	
Ashlar												
Grindstone												
Sand												
Cinders												
Gravel												
Merchants' goods	2012	19	543	1	2556		2195	19	245	8	2441	7
Total	85566	5	5284	17	90851	2	87972	10	5327	14	93300	4

[1] Including 3 tons 8 cwt. ground flint.
[2] Including 1 ton ground flint.
[3] Including 7 cwt. lime.

	1781–1782						1782–1783					
	Northwich		Winsford		Total		Northwich		Winsford		Total	
	tons	bush.	tons	bush.	tons	bush.	tons	bush.	tons	bush.	tons	bush.
White salt	35341	3	2467	26	37808	29	38940	30	1885	15	40826	5
Rock salt	37495	36			37495	36	42407	13			42407	13
	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.
Coal	23949	18	1777	10	25727	8	26764	16	1666	10	28431	6
Pipe clay	1603	10[1]	370[1]		1973	10	1538	10[1]	225	10[1]	1764	
Flintstones	68	15	92	6	161	1			305	12	305	12
Paving stones	66				66							
Slate	63	17	46		109	17	49	10	59		108	10
Limestone	59				59		76				76	
Brick	108				108		6	6			6	6
Pig metal	39[2]				39		82		20[2]		102	
Burr stone	141				141							
Ashlar												
Grindstone												
Sand												
Cinders							1				1	
Gravel							48				48	
Merchants' goods	2635	15	465	6	3101	1	4362	14	427	1	4789	15
Total	101571	14	5218	15	106790	9	114276	17½	4589	½	118865	18

[1] Described as potters' clay. [2] Iron.

	1783–1784						1784–1785					
	Northwich		Winsford		Total		Northwich		Winsford		Total	
	tons	bush.	tons	bush.	tons	bush.	tons	bush.	tons	bush.	tons	bush.
White salt	48147	23	3301	3	51448	26	43495	9	4139	14	47634	23
Rock salt	50093	14			50093	14	52996	21			52996	21
	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.
Coal	26471	19	1835		28306	19	33320	15	2171	5	35492	
Pipe clay	1831	3[1]	58		1889	3	30		524	16[1]	554	16
Flintstones	43	13	252	5	295	18			555	15	555	15
Paving stones	105				105		777	3			777	3
Slate	113	10	24		137	10	90	5	25		115	5
Limestone	75				75		98				98	
Brick	106	10			106	10	236				236	
Pig metal	15	6			15	6	41[2]				41	
Burr stone	93				93		488		206		694	
Ashlar	993				993		388	3			388	3
Grindstone												
Sand												
Cinders							50				50	
Gravel							40				40	
Merchants' goods	4513	14	461	6	4975		3662	3	811	16	4473	19
Total	132602	13½	5931	12½	138534	6	135713	4	8433	19	144147	3

[1] Potters' clay.

[2] Iron.

	1785–1786						1786–1787					
	Northwich		Winsford		Total		Northwich		Winsford		Total	
	tons	bush.	tons	bush.	tons	bush.	tons	bush.	tons	bush.	tons	bush.
White salt	43686	4	4436	8	48122	12	45879	25	8758	25	54638	10
Rock salt	46401	20			46401	20	43047	10			43047	10
	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.
Coal	31112	10	3251		34363	10	34595	2	6148	17	40743	19
Pipe clay			30[1]		30				146	10[1]	146	10
Flintstones	12	12	1718	10	1731	2			183	10	183	10
Paving stones												
Slate	362	12	44	2	406	14	346	2	112	6	458	8
Limestone	145				145		244				244	
Brick	217	18	81		298	18	87	16	30		117	16
Pig metal	40[2]				40		67	4[2]			67	4
Burr stone	161		63		224		172		140		312	
Ashlar	92				92							
Grindstone												
Sand												
Cinders												
Gravel							49				49	
Merchants' goods	2572	17	928	10	3501	7	3469	17	754	3	4224	
Total	124804	1	10552	6	135356	7	127957	18½	16273	18½	144231	17

[1] Potters' clay.

[2] Iron.

	1787–1788						1788–1789					
	Northwich		Winsford		Total		Northwich		Winsford		Total	
	tons	bush.	tons	bush.	tons	bush.	tons	bush.	tons	bush.	tons	bush.
White salt	54224	29	10803		65027	29	38668	7	11260	36	49929	3
Rock salt	53701	14			53701	14	52392	20			52392	20
	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.
Coal	32005	5	7290	10	39295	15	35503	12	7876		43379	12
Pipe clay												
Flintstones			314	5	314	5			397		397	
Paving stones	64				64		749				749	
Slate	164	7	98	10	262	17	153	6	14		167	6
Limestone	237	10			237	10	60				60	
Brick									7	10	7	10
Pig metal	55	4			55	4	28[1]				28	
Burr stone	382		160		542		58		42		100	
Ashlar	26				26		2				2	
Grindstone												
Sand												
Cinders	268		24		292		165				165	
Gravel	1				1		33				33	
Merchants' goods	3784	5	786	10	4570	15	3212	9	614	10	3826	19
Total	144913	12	19476	15	164390	7	131025		20211	18	151236	18

[1] Iron.

	1789–1790						1790–1791					
	Northwich		Winsford		Total		Northwich		Winsford		Total	
	tons	bush.	tons	bush.	tons	bush.	tons	bush.	tons	bush.	tons	bush.
White salt	49925	30	13769	2	63694	32	51641	19	19137	24	70779	3
Rock salt	47730	20			47730	20	52505	20			52505	20
	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.
Coal	35366		8236	10	43602	10	34378	12	9989	10	44368	2
Pipe clay									435		435	
Flintstones			597		597				704	10[1]	704	10
Paving stones	99				99		100				100	
Slate	94	18			94	18	347	15	169	10	517	5
Limestone	122				122		279	10			279	10
Brick	105		12		117				9		9	
Pig metal	47	1			47	1	104	19			104	19
Burr stone	148		119		267		86		87		173	
Ashlar							40				40	
Grindstone												
Sand												
Cinders	90				90							
Gravel	5				5		42				42	
Merchants' goods	3281	4	961	3	4242	7	5088	6	902		5990	6
Total	137014	8	23694	14	160709	2	144614	1	31434	2	176048	3

[1] Flint.

	1791–1792						1792–1793					
	Northwich		Winsford		Total		Northwich		Winsford		Total	
	tons	bush.	tons	bush.	tons	bush.	tons	bush.	tons	bush.	tons	bush.
White salt	51506	27	17917	28	69424	15	44114	36	13850	10	57965	6
Rock salt	54365	20			54365	20	48140	20			48140	20
	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.
Coal	34025	16	10916		44941	16	35368	7	10431	6	45799	13
Pipe clay												
Flintstones	20		910	10	930	10	133		288	5	421	5
Paving stones	90				90		62				62	
Slate	260	10	3		263	10	111	13			111	13
Limestone	406				406		784				784	
Brick	34	10	6		40	10	28	10	6		34	10
Pig metal	19				19		25	6			25	6
Burr stone	206		44		250		187				187	
Ashlar	106				106							
Grindstone												
Sand												
Cinders							252				252	
Gravel	50				50		71				71	
Merchants' goods	6545	13	967		7512	13	5048	14	624	19	5673	13
Total	147635	12	30764	4	178399	16	134326	18	25200	15	159527	13

	1793–1794						1794–1795					
	Northwich		Winsford		Total		Northwich		Winsford		Total	
	tons	bush.	tons	bush.	tons	bush.	tons	bush.	tons	bush.	tons	bush.
White salt	41272	37	19524	24	60797	21	54364	11	13246		67610	11
Rock salt	62000	7			62000	7	41917	15			41917	15
	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.
Coal	36101	12	10502	16	46604	8	34503	14	8902		43405	14
Pipe clay												
Flintstones			337	10	337	10			25		25	
Paving stones	299				299		243		3		246	
Slate	242	15			242	15	114	15	130		244	15
Limestone	1058	10			1058	10	804	6			804	6
Brick			9		9		15		9		24	
Pig metal	33				33		22	4	31	2	53	6
Burr stone	58				58							
Ashlar	359	10	43	5	402	15						
Grindstone												
Sand												
Cinders	390				390		36				36	
Gravel	60				60		74				74	
Merchants' goods	3692	9	331	4	4023	13	2924	12	762	9	3687	1
Total	145567	18	30748	7	176316	5	135019	4	23108	11	158127	15

	1795–1796						1796–1797					
	Northwich		Winsford		Total		Northwich		Winsford		Total	
	tons	bush.	tons	bush.	tons	bush.	tons	bush.	tons	bush.	tons	bush.
White salt	73270	26	25128	31	98399	17	75820	7	24335	20	100155	27
Rock salt	45477	28			45477	28	55633	4			55633	4
	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.
Coal	42621	16	13480		56101	16	47184	4	16262	11	63446	15
Pipe clay	93				93							
Flintstones			59[1]		59							
Paving stones	50				50		63				63	
Slate	235	5	34	10	269	15	183	5	161	10	344	15
Limestone	1197	2			1197	2	1924				1924	
Brick	127	16	3		130	16	6	15			6	15
Pig metal	60[2]		117	16	177	16	22	2	40		62	2
Burr stone	92		46		138		133		356		489	
Ashlar												
Grindstone												
Sand												
Cinders												
Gravel	120				120							
Merchants' goods	3723	5	1243	18	4967	3	4433		1460	6	5893	6
Total	167068	11	40112	19	207181	10	185402	11	42615	17	228018	8

[1] Flint.

[2] Copper slag.

	1797–1798						1798–1799					
	Northwich		Winsford		Total		Northwich		Winsford		Total	
	tons	bush.	tons	bush.	tons	bush.	tons	bush.	tons	bush.	tons	bush.
White salt	70322	9	30222	30	100544	39	70181	12	38611	23	108792	35
Rock salt	34028	19			34028	19	33983	31			33983	31
	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.	tons	cwt.
Coal	50060	15	22527	19	72588	14	47907	10	25039	8	72946	18
Pipe clay	1	10			1	10						
Flintstones												
Paving stones	10				10		130				130	
Slate	106	5	44	10	150	15	442		102	15	544	15
Limestone	2128				2128		1818				1818	
Brick	39	10	10		49	10			1	10	1	10
Pig metal	66	10	46	7	112	17	69		68		137	
Burr stone	221		476		697		508				508	
Ashlar	434				434		144				144	
Grindstone												
Sand												
Cinders							90				90	
Gravel												
Merchants' goods	3754	2	1155	15	4909	17	4333	3	796	7	5129	10
Total	161172	6	54483	6	215655	12	159606	14½	64619	11½	224226	6

	1799–1800					
	Northwich		Winsford		Total	
	tons	bush.	tons	bush.	tons	bush.
White salt	67690	16	38424	7	106114	23
Rock salt	46206	8			46206	8
	tons	cwt.	tons	cwt.	tons	cwt.
Coal	55191	5	29771	15	84963	
Pipe clay						
Flintstones						
Paving stones	150				150	
Slate	284	5	265		549	5
Limestone	2309				2309	
Brick	21		21		42	
Pig metal	186	14	40		226	14
Burr stone	748		218		966	
Ashlar	319				319	
Grindstone						
Sand						
Cinders	180				180	
Gravel	426				426	
Merchants' goods	4018	4	1148	2	5166	6
Total	177730		69888		247618	

INDEX OF PERSONS AND PLACES

Acton, 110, 125n., 126n.
Acton Bridge, 31, 55–6, 115; cut, 101; Lock, 31, 47, 55n., 101, 102n., 134n., 185; weir, 48
Acton, Mr., 153
Adderley, Richard, 52
Agden, 90, 92–3, 200, 202, 205
Aire, 2
Alcock, David, 102
Allen, Ellen, 102n.; Isaac, 80n.
Alsager Heath, 197
Amson, John, 22, 23n., 24, 26, 28, 158
Anderton, 55, 58, 96–7, 109, 114–15, 126, 128–30, 132–3, 168; basin, 130–2
Anderton, Thomas, 33
Anker, William, 114
Anson, Mr., 200
Antrobus, William, 83
Ard, Docksy & Co., 42n.
Ashton, John, 54n.; Mr., 163, 168–9; Mrs., 43; Nicholas, 128
Assheton, Thomas, 79
Astbury, 201
Aston, Sir Thomas, 10–12, 15–17, 20, 143–4, 146–9, 151–8; Sir Willoughby, 9–10, 142
Atherton, Israel, 23n.; John, 42n.
Austin, Randle, 143

Bagot, Mr., 200
Bancroft, Peter, 111n., 121
Bankes, Philip, 47
Barker, John, 111n.
Barlow & Goostry, Messrs., 47
Barnett, Samuel, 78, 80; Thomas, 78, 80
Barnton, 100, 115, 128–9; cut, 101; Lock, 101, 134; Moor, 101
Barrow, John, 65, 83
Barry, John Smith, 54n.; Richard, 68n., 181
Barrymore, Earl of, 22, 153–4, 158
Bartington, 100
Bayley, Randle, 143
Bebbington, John, 85
Bentley, Thomas, 93–4
Berrington, William, 14
Berry, Henry, 53–6, 58, 70, 80–3, 166–7, 174, 186, 192
Bideford, 19
Birches Meadow, 59
Blackburne, John, 41, 54n., 66–7, 81, 84, 86, 111n., 176, 188; Mr., 161, 163, 165, 188; William, 27
Bollin, 89
Booth, Charles, 60; G., 9; Langham, 11–13, 23n., 144, 146, 149, 152–3
Bower, Nicholas, 134
Boyer, Catherine, 102
Bradburn, Peter, 121
Bradshaw, Thomas, 30, 35
Brayne, Jonathan, 80–2, 90–2, 103, 196–9; Thomas Ives, 103, 127, 129
Bridge, Mr., 128; Robert, 111n.
Bridgewater, third Duke of, 87–91, 93, 95–6, 109n., 110, 115, 133, 198–200, 202–3
Bridgewater Canal, 88–90, 92–3, 96, 109–10, 133, 198, 202, 205
Brindley, James, 84, 89, 93, 199, 201–5
Brine Sheath meadow, 84
Bristol, 15, 92, 198, 200
Brock, Mr., 195; William, 42n.
Broken Cross, 109, 116–19, 123, 128
Brooke, Mr., 176, 184–5, 188, 195, 202; Peter, 50, 52, 64, 68n., 79, 164, 167; Richard, 101; Sir Richard, 142–3; Sir Thomas, 22
Broomfield, —, 155
Brown, Thomas, 42n.
Bryery Eyes (meadow), 59
Bucklow hundred, 11, 13, 142, 144
Budworth, Great, 60–1, 80
Budworth Mere, 84
Bunbury, Sir Henry, 153
Burrows, Edward, 45n.
Burton-on-Trent, 94n.
Butterworth, Thomas, 27
Butty Meadow Lock, 31, 47–8, 124; weir, 48
Byrne, Dorothy, 52, 79n.; Elizabeth, 52

Calder, 2, 180
Case, John, 2
Castle Northwich, 102, 116
Cavendish Bridge, 116
Chantler, Thomas, 127, 130
Checkley Brook, 91–2, 200, 204–5
Cheshire, 13, 17, 23, 65, 76, 174; payments to, 106, 119–21, 135; salt industry, 2–3, 5, 18–19
Cheshire, John, 111n., 121; Mr., 124
Chester, 13, 40
Chesworth, George, 117, 129
Cholmondeley, Charles, 11, 14, 16, 18, 22, 25, 27, 154–5; Francis, 9, 14–15, 143, 148; Mr., 143, 153, 162, 165, 176, 181, 188, 192–4; Seymour, 17–18, 20, 156–8; Thomas, 52, 54n., 65, 142, 173–4, 176, 185

Clements, Samuel, 18
Coalbrookdale, 130
Cock (Witton), 116, 119
Cockshutt & Co., 126n.
Colne (river), 2
Colquitt (Colquit), John, 80; Mr., 65, 68–9, 94, 163, 174–6, 179–83, 193; Scroop, 50, 200–2
Congleton, 19, 144
Corbett, Mr., 198
Corker, Daniel, 143
Cotton, Sir Lynch, 193
Crewe, John, 11, 144, 146, 199
Crosby, William, 116
Crown (Northwich), 197
Crowther, *see* Weatherby & Crowther
Cunliffe, Sir Ellis, 49, 57, 68–9, 163, 165, 173–4, 179, 181–2, 189; Robert, 176

Dane (Deane), 2, 16, 20, 22, 26, 97, 144, 146, 201, 205; Bridge, 125
Daniell, John, 27–8
Daresbury, 134
Davenham, 125
Deakin, Robert, 125
Dean, Thomas, 101, 166
Delamere forest, 1
Delves, Hugh, 11, 143
Denn, Mr., 150
Derby, 19
Derby, eleventh Earl of, 79, 100, 160, 196
Derbyshire, 145
Devon, 19
Dicken, John, 35, 47, 53, 56, 81
Dickenson, John, 26, 28–9, 43, 50, 83
Docksy, *see* Ard, Docksy & Co.
Dodd, Randle, 23n.
Don, 21
Done, Robert, 52
Douglas, 18n.
Downes, Frances, 79
Drinkwater, Peter, 126–7
Droitwich, 9
Dukenfield, Charles, 27
Dumbell, *see* Watkins & Dumbell.
Dunham, 103
Dunning, D., 95
Dutton, 103; Hall, 109
Dutton, William, 121
Dutton Bottoms, 55, 90, 163; Lock, 31, 47, 55n.

Eaton, George, 58n., 68n.
Eddisbury (Edisbury) hundred, 11, 13, 145
Egerton, Christiana, 52; John, 22, 23n., 24, 26, 28–9, 158; Mr., 167, 181, 190; Philip, 23n., 28, 36, 52, 188; Samuel, 63, 164, 176, 183, 185
Ellison, Thomas, 20
Essex, 19
Evans, Francis, 45n.
Exeter, 19
Eyre, Thomas, 26, 28–9, 43–4, 187

Faithfull, Thomas, 30, 33, 36, 56, 67, 81
Fleetwood (Fletewood), Frances, 14, 30; Thomas, 14, 17, 157
Ford, Stephen, 111n.
Formosson, Elizabeth, 121
France, 4
Frodsham, 11, 31, 35, 45, 59, 64n., 95, 119, 127–8, 147, 149, 204; cut, 104, 112; Lock, 104, 112, 115; weir, 103, 112, 127
Frodsham Bridge, 1, 3–7, 11–13, 18–19, 22, 26, 64n., 74, 90, 111n., 112–15, 120, 123, 127–8, 135, 142, 145, 152, 156–8, 163, 197
Fryer, John, 121, 134
Furey, John, 111n., 121
Furnivall, Mr., 42n.

Garratt, Thomas, 78, 167
Gerard, sixth Lord, 14, 18, 142
Gerrard, Elizabeth, 134n.
Gilbert, John, 109n., 131; Mr., 200–2, 205; Thomas, 96
Gilbody, John, 33–4
Gildart, James, 176
Glegg, Mr., 156, 169
Golborne (Golborn), John, 70, 81–2, 95, 190, 192
Goostry, *see* Barlow & Goostry
Gorst, Thomas, 51, 53, 57, 60–1, 71–2, 79, 85, 160–2, 165–6, 168–72, 173n., 183, 188, 191, 193–6
Gower, second Earl, 89, 91, 96, 198–200, 202–4
Green, Isaac, 18n.
Gresty, John, 101
Grey, Lord, 200, 203
Grosvenor, Sir Richard, 22, 153; Thomas, 65

Hadfield, Joseph, 80n.
Halton (Horton) Meadow, 124
Harecastle, 90, 92, 197, 201–2, 205
Harrison, Samuel, 33
Harrop, James, 116
Hartford, 114; Bridge, 114, 121, 123; cut, 124; Lock, 31, 48, 102, 124; weir, 48
Haverfordwest, 19
Hawley, —, 17, 157
Hempstones, 88–90, 93, 96, 200, 202
Henshall, Hugh, 90, 197
Heron, George, 58n., 60–1, 64, 67, 78, 80, 84, 91–2, 168, 171, 176, 179, 181, 198–9, 205; Mr., 166–7, 176, 184–6, 192, 195; R., 15, 154

Hewitt, —, 149–50
Heyes, Richard, 42, 83
Heyward, Hugh, 85
Heywood, William 102
Higginson, Ralph, 101–2
Hincks, John, 105
Hodgkinson, Peter, 143
Holford, Allen, 166 ; John, 143
Holland, Henry, 132 ; William, 124
Hollin, John, 121
Holmes Chapel, 103
Hop Yards, 163
Hope, Samuel, 112
Hough, Thomas, 58, 68n., 72, 167
Houghton, John, 58n., 67, 68n., 180, 186; Peter, 134
Hudson, Mr., 118–19
Hull, 92, 198, 200, 202
Hunt, John, 43, 187–8 ; Mr., 168
Hunts Lock, 31, 43, 48, 59, 102, 113, 124 ; weir, 48, 56, 124

Ireland, 4

James I., 1
Johnson, John, 102n., 103, 112–15, 117, 119, 123–6, 128–32 ; Samuel, 101 ; Sir Thomas, 10–11, 143, 147, 149, 154n.

Kent, Elizabeth, 110 ; Mr., 189 ; Richard, 43, 104 ; Thomas, 56, 61, 65, 81, 109n., 110
Kenyon, Mr., 111–12
King's Arms (Middlewich), 52
Knutsford, 91, 103

Lacon, Mr., 157
Lancashire, 19, 174 ; coal from, 3, 9, 142, 147, 149 ; Land Tax Commissioners for, 69, 74–5, 104, 183–4, 186–7
Lark, 2
Latham, Ann, 134
Lawton, 90, 197
Lawton, Mr., 145
Lea, Jacob, 117
Leay, William, 46n.
Lee, —, 156
Legh, Ashburnham, 58n. ; Charles, 85 ; George, 28, 50, 63, 164–5, 204 ; Henry, 23n., 95, 97n. ; Peter, 63 ; Richard, 142
Leicester (Leycester), Sir John Fleming, 112, 126 ; Mr., 204 ; Sir Peter, 52, 58n., 59, 63, 68n., 79, 83 ; Ralph, 58n., 164
Leigh, George, 112 ; John, 201 ; Thomas, 42–3
Leigh, Little, 103
Lem, James, 35
Liverpool, 19, 39–40, 46, 82, 90, 92–4, 98, 109n., 110–11, 117, 130, 133, 146, 174, 183, 198, 200–2 ; Corporation of, 2, 18n., 19, 27, 49, 89, 105, 199 ; Blue Coat Hospital, 80n. ; merchants of, 15, 49–55, 57, 63, 65–7, 70, 76, 112, 136–7, 161–5, 175–6, 178, 181, 188, 192, 198 ; Seamen's Hospital, 80 ; shipmasters of, 15
London, 19, 40
Longford Bridge, 88–9
Longport, 116–17
Low, Ralph, 52
Lowe, Mr., 169
Lowndes, Robert, 52, 183, 196
Lutley, Philip, 14

Macclesfield, 86, 91, 94 ; hundred, 142
Macquean, Somervile, 79
Magee, Mr., 118
Mainwaring, Arthur, 144 ; Charles, 14 ; Frances, 80n. ; Grizel, 14 ; Henry, 23n. ; Sir Henry, 58n., 203 ; James, 23n. ; John, 78, 80.
Maisterson, William, 31n.
Manchester, 27, 88, 91, 94, 109n., 126n., 205
Mann, Robert, 102n.
Mansfield, Lord, 129
Marbury, 3
Marsh, William, 18
Marshall, Thomas, 111n., 117, 121
Marston, 110, 125
Merry, Cath., 37
Mersey, 2, 18n., 43, 54, 88–90, 92, 94–6, 115, 127, 133, 198, 200–3, 205
Mersey and Irwell navigation, 89
Metcalfe, Ann, 48, 59–60 ; Mr., 118–19 ; Samuel, 30
Middlewich, 3, 9–11, 14, 16, 19, 23, 25, 43, 52, 90, 109, 118–19, 143, 145, 148, 169, 197 ; salt industry, 6, 9, 14, 16, 19–20, 128, 130–1, 143 ; trade of, 20, 43, 96, 109–10, 119, 133, 142, 145
Moores, Robert, 103
Moreton, Robert, 51n., 53, 71–2, 166, 169, 171
Morris, Thomas, 126–7
Mort, John, 33, 83, 111n. ; Mr. 128
Moss, William, 52, 196
Mottram St. Andrew, 91

Nantwich, 10–11, 13, 15, 31n., 90, 142, 145, 148 ; hundred, 13 ; salt industry, 6, 13
Newbridge Lock, 31, 48, 124 ; weir, 48
New Bridge, 34
Newcastle-under-Lyme, 90, 92, 197
Newton in Makerfield, 13
Norris, Edward, 154

Northwich, 3, 6, 9–11, 13–14, 16, 18–20, 23, 25–7, 31–2, 35, 37, 49, 54–7, 59, 61, 63, 65, 67, 70, 78, 81, 90, 93–4, 98–100, 110, 113–14, 116–17, 119, 123–7, 133, 137, 142–7, 149, 156–7, 162–3, 166–8, 175, 178, 185, 191–3; 196–7, 203–5; Bridge, 185; hundred, 11, 145; Lock, 30–1, 48, 54, 55n., 58–61, 64n., 65, 81–2, 102, 126–7, 163, 169, 184–5, 192–3; salt industry, 6, 12, 14, 16, 19, 27, 41–4, 99, 111, 121, 142–3, 147, 149; trade of, 41–4, 47, 86, 106, 110, 118, 121–2, 135–6, 208–28; weir, 48, 124, 126; *see also* Castle Northwich

Okell, John, 121
Oldfeld, Mr., 158
Ollier, Charles, 33; Joseph, 52
Over, 15
Owen, Robert, 126n.

Paddy, Mr., 129
Parcey (Paresey, Pearsey), Thomas, 36, 47, 186
Parker, John, 52, 166, 196
Parr, Mrs., 45n.
Partington, John, 12, 149
Patten, Jonathan, 28–9, 53n., 166; Mr., 153; Thomas, 26, 28–30, 37, 43–5, 50, 61, 83, 126, 187
Pearsey, Thomas, *see* Parcey, Thomas
Pemberton, Edward, 61, 80
Pennant, Richard, 101
Pennee, Henry, 80
Pennys Lane, 116
Peover Eye, 97, 201, 205
Peploe, Samuel, 121
Pickeren's (Pickerons, Pickerings) Boat, 22, 64n.
Pickering, John, 166; Peter, 121
Pickerings, 36, 74, 111–13, 119–20, 123, 162; cut, 48, 55, 58–9, 81, 167; Lock, 31, 42, 47, 55, 58–9, 61, 70, 74, 81–2, 113, 134, 167, 169, 185, 192; weir, 48, 56, 58, 81–2
Pitt, Mr., 156
Plumbs Bridge, 34
Pointon, John, 101
Pole, Charles, 174
Potteries, the, 39–40, 89, 109–10
Potts, Charles, 106
Pownall, Robert, 34–5, 45–7, 53, 56–8, 80–1, 84, 88, 90, 92, 95, 98, 100–3, 112–14, 165, 174, 189–92, 196–8, 200, 204; Thomas, 126
Preston Brook, 96, 109–10, 133, 198
Price, Dorothy Parry, 173n., 195; Richard Parry, 79, 195–6
Priestner, John, 30, 35, 47

Ravenscroft, Frances, 80; Thomas, 80
Reddish, John, 27
Richardson, Adam, 186
Rideingfole meadow, 55
Rivers, Earl, 143–4
Robinson, Thomas, 30, 35–6; William, 71, 166
Roe, Charles, 86, 203
Rowe, John, 114
Runcorn, 133
Runcorn Gap, 96, 198

Salford, 88
Salmon, Mary, 121
Saltersford, 55–6; cut, 55, 82; Lock, 31, 47–8, 55, 58, 61, 81–2, 100–2, 134, 166; weir, 48, 56
Sandbach, 19
Sankey Brook navigation, 53–7, 66–7, 82, 87, 93, 177–8
Seaman, John, 46n., 52, 196; William, 52, 166, 196
Selby, Richard, 61
Severn, 91–2, 94–5, 130, 198
Shakerley, Jane, 80 n., 105; Peter, 10–12, 25, 143–4, 146–7, 151
Shropshire, 174
Skellorn, Catherine, 121
Skinner, J., 99–100
Slaughter, Thomas, 42n., 195
Slyford, Thomas, 9–10, 12, 144, 146–8
Smeaton (Smeeton), Mr., 201
Smiles, Samuel, 87
Smith, John, 80n.; William, 80n.
Somerset, 19
Spain, 4
Sparrow, Mr., 130
Spittle Hill, 118–19
Sprowson, John, 121
Squire, William 18
Stafford, John, 61–2, 64, 68–73, 78–80, 92, 95, 97n., 175, 178–9, 181–3, 185–94, 196, 199, 205
Staffordshire, 174; coal from, 3, 6, 9, 142, 149
Staffordshire Canal, *see* Trent and Mersey Canal
Stamford, Lady, 199
Stanhope, Lord, 155
Stanley, James Smith, *see* Strange, Lord; Lady Jane, 80; Sir John, 129–31, 166; Lady Margaret, 173n., 195; Mr. 196
Steers, Thomas, 18, 56
Stelfox, Edward, 112
Stockport, 91
Strange, Lord, 51–2, 54, 57, 64–5, 68–71, 78, 91, 93, 160–5, 173–5, 178–9, 181–4, 187–94, 199
Stubbs, John, 86, 126; Martha, 105

Suffolk, 19
Summerfield, Peter, 121
Sutton, 64n., 127; Marsh, 111–12, 119; Mill, 112
Swarkestone (Swarkston), 200
Swinton, John, 101

Tarbock, Peter, 1
Tarleton, John, 54n., 176; Mr., 163, 200–2
Tatton, Thomas, 80, 196; William, 68n.
Taylor, Edmund, 166; Isaac, 166
Teignmouth, 46
Tern Bridge, 95n.
Thearsby, William, 121
Thoroton, Thomas, 65
Tomkinson, —, 88–9, 200; John, 126
Tone, 2
Trent, 2, 89, 91–2, 94–5; navigation, 94
Trent and Mersey Canal, 40, 89–92, 95–6, 98–101, 107, 109–11, 115–16, 118, 123, 125, 128–9, 132–3, 197, 199–204, 205n.
Turner, William, 95, 97n.

Vale, Royal Lock, 31, 48, 113, 124; weir, 48
Vaudrey, Jane, 27–8; Thomas, 27–8, 37n.
Verdon, Sarah, 80 n.
Vernon, Jane, 27–8; Ralph, 45n., 53, 71–2, 166; Richard, 10, 18, 22, 23n., 24–6, 28, 144, 146, 153, 156, 169, 171; Thomas, 23n.

Wade (Wades) Brook, 97, 205
Wales, 19, 174; coals from, 142, 149
Wallerscote (Wallascourt), 144
Walley, Peter, 30; Thomas, 33–4
Walthall, Richard, 52
Warburton, Anne, 14; Elizabeth, 198; George, 14; Sir George, 11, 13, 23n., 142–3, 152; Peter, 23n.; Sir Peter, 42n., 51–2, 54n., 58n., 60, 62–7, 68n., 70–2, 78–9, 81–2, 84, 89, 91, 93, 95, 112, 160–75, 177–96, 198–9, 204–5; Philip Henry, 36, 188; Thomas 14, 22
Wareham, 147
Warren, Sir George, 203
Warriner, Anne, 102
Warrington, 13, 43, 66–7, 146
Watkins & Dumbell, Messrs., 45
Watts, William, 12–15, 17–18, 153–8
Weatherby & Crowther, Messrs., 45
Weaverham, 114, 125n.
Wedgwood, Josiah, 89–90, 92–4, 197; Richard, 99, 197; Thomas, 39n.
Weston, Mr., 167–8; Thomas 33
Weston Point, 127–8
Wheelock Bridge, 20
Wheelock Brook, 20
Whittaker, Daniel, 126n.
Whittingham, Ann, 102n.; Elizabeth, 102n.
Whitworth, Mr., 200
Wilbraham, Mr., 61; R., 99–100; Roger, 22, 28–9
Wilckens, Henry, 126
Wild, William, 47n.
Wilden (Whieldon) Ferry, 89–90, 93, 94n., 95–6, 109, 116, 200–2
Williams, John, 23n.; Thomas, 31n.
Wincham, 85, 109, 125; Brook, 97; Mill, 97
Winnington, 3, 14, 58; Bridge, 9, 144; Lock, 31, 48, 55n.; 58, 101; weir, 48
Winsford, 6–7, 10, 16, 18, 20, 26, 31–2, 34–6, 46, 56, 59–60, 70, 80–1, 90–5, 109, 118–19, 137, 148, 167–9, 193, 204; Bridge, 22, 112–14, 156–7, 197, 200; salt industry, 6, 16, 25, 27, 44–6, 143; trade of, 43–7, 86, 99, 106, 109–10, 119, 121–4, 135–6, 208–28
Witton Bridge, 15, 20, 22, 74, 82, 85, 91, 94, 97, 112, 125
Witton Brook, 20, 22, 31, 89, 116, 125, 128, 156; navigation, 81–5, 112, 126; Lock, 83–5, 101–2, 125–6, 134
Witton Brow, 65–6, 85, 177–8
Witton Common, 74, 85, 97, 103, 107
Wolseley, 92, 199
Wood, Annabella, 46n.; Isaac, 35, 45–6, 59, 187, 198; Jane, 46n., 118; John, 30; Mr., 191–3
Worsley Canal, 88
Wrench, Richard, 143
Wright, Henry, 28–9; John, 117; Samuel, 80, 92, 95, 97n., 199
Wrinehill, 91–2, 94–5, 98

Yare, 2
Yate, Mr., 149
Yates (Yeates), Hamlet, 156; Mr., 61–2, 64, 173, 182
Yorke, C., 100
Yorkshire, 205
Young, Arthur, 103

INDEX OF PRINCIPAL SUBJECTS

Acts of Parliament: (7 Geo. I, c. 10), 22, 25, 33, 49, 52, 56, 60–5, 73, 77, 79, 82, 85, 106, 112–13, 160–2, 167, 175–6, 180, 187; (7 Geo. I, c. 17) 22; (7 Geo. II, c. 28) 31n.; (33 Geo. II, c. 49) 73–7, 79, 84–5, 98–100, 112–113, 128, 195; (6 Geo. III, c. 96) 96–97, 116, 130; cost of obtaining, 25–26, 78, 106–7

Boatmen, 7, 76
Boats, 41, 77, 93, 98–9; cost of, 45–6, 117; names of, *Appendrade*, 1n., *Betty*, 32n., *Duke of Holstein*, 1n., *Eleanor*, 45n., *Hope*, 45n., *Mermaid*, 47n., *Otter*, 43, *Pennant*, 43, *Swan*, 43, 166, *Venus*, 42; size of, 5, 32, 93, 162, 186
Bridges, 55, 82, 119–20, 152, 154; building of, 114, 121, 123, 125, 152; repair of, 23–4, 26, 76, 106

Canals, 87–8, 90–2, 94–5, 127–8, 197–8, 203–4; *see also* Bridgewater, Sankey Brook, Trent and Mersey, Worsley
Capital, 14–15, 20, 23–5, 28–30, 37–8, 50–3, 60–1, 66–7, 75, 78–80, 94, 105–6, 118, 120–1, 128, 149–51, 160–1, 165, 168, 170, 172, 175–7, 181, 183, 186, 194–6, 201–2, 204
Cargoes:
- anchors, 39
- anchovies, 39
- barley, 135
- blocks (for boats), 39
- bottles, 39
- brandy, 39
- bricks, 106, 135, 208–28; Flanders, 210n.
- brushes, 39
- calamine, 40, 46, 86, 135, 208n.
- candle wick, 40 n.
- cart blades, 86
- chairs, 86
- cheese, 39–40, 122
- cinders, 209–17, 219–20, 222–5, 227–8
- cistern, stone, 209n.
- clay, 40 n., 104, 110, 118, 122; fire, 216n.; loam, 209n., 210n., 211n., 216n.; pipe, 39–40, 46, 86, 106, 208–18, 223, 226–7; potters', 212n., 219n., 220n., 221n.
- clover seeds, 39
- coal, 39–40, 43, 46, 86, 106, 122, 135, 208–28
- copper, 86, 135; ore, 40; slag, 226n.
- cotton, 40, 135

Cargoes: *contd.*—
- cratesware (i.e. pottery), 39–40, 45n., 86, 110, 122
- earthenware, 46, 208n.
- engine, 86
- fellies, 86
- flint, 104, 223, 226; ground, 216n., 217n., 218n.
- flintstones, 39–40, 46, 86, 106, 110, 122, 135, 208–25
- flower pots, 86
- gravel, 209, 211–17, 219–26, 228
- gravestones, 86
- hides, 40
- household goods, 39, 86
- iron, 40, 45n., 219n., 220n., 221n., 222n.; mine, 39–40; stone, 208n.
- lime, 208n., 216n., 217n., 218n.
- limestone, 39, 86, 104, 106, 135, 208–28
- malt, 45n.
- Manchester wares, 39
- marble, 209n.
- masts, 39
- merchants' goods, 39–40, 46, 86, 106, 110, 118–19, 122, 135, 208–28
- molasses, 39–40
- oakum (ocham), 39
- oats, 135
- pan plate moulds, 86
- pan plates, 86
- pans, frying, 40; salt, 40, 86
- pewter, 39
- pig metal, 40, 46, 86, 106, 208–20, 222–8
- potatoes, 40
- prunes, 39–40
- rails, 86
- raisins, 39
- ropes, 39
- salt, 39, 42n., 43–5, 46n.; rock, 32, 39–40, 86, 106, 110, 122, 135, 208–28; white, 39–40, 45n., 46, 86, 106, 119, 122, 133, 135, 208–28
- sand, 209, 211, 213–16
- slate, 46, 86, 106, 208–28
- sleepers, 86
- spaw water, 39
- spokes, 86
- stone, ashlar, 208–9, 211–16, 220–5, 227–8; burr, 106, 208–28; casting, 211n., 212n.; China, 135; flag, 208n., 209n., 213n., 215n., 216n., 217n.; grind, 208–11, 214, 216; hearth, 216n.; mill, 210n., 213n., 214n., 215n., 216n.; paving, 39–40, 86, 104, 208–20, 222–8; ridging, 209n., 213n.

Cargoes: *contd*:—
sugar, 39–40
tables, 86
tiles, 208n., 209n., 210n., 211n.
timber, 39–40, 86
tin, 40
tobacco, 39–40
train oil, 39
treenails (treenels), 86
wheat, 135
wheelbarrows, 86
wine, 39–40, 135
Carriage, by land, cost of, 3–5, 18–19; by water, cost of, 3–5, 18, 44–6, 92, 98; profits from, 45–6.
Carriers, by land, 5–8, 11, 13–14, 18, 41, 142–3, 145, 147–9
Chancery, Court of, 83
Cheese, 5, 18–19, 40–1; *see also* Cargoes
Coal, 3, 44; carriage of, 3, 5–6, 13, 142, 145, 147, 149; cost of, 3; *see also* Cargoes
Commissioners (under 7 Geo. I, c. 10), 22–6, 28–9, 30, 33–8, 49–73, 77, 81, 160–88; of the Land Tax, *see* Lancashire
Cotton mills, 126–7
Cuts, 55–6, 58–9, 70, 82, 84, 112, 126, 163; size of, 55n.; *see also* Acton Bridge, Barnton, Frodsham, Hartford, Pickerings, Saltersford

House of Commons, 64; Bills in, 2, 10–11, 13, 15, 17–18, 20–1, 26, 65, 69, 73, 94–6, 148, 152–4, 156–8, 173–5, 178–9, 182, 186–7, 189–90; petitions to, 2, 9–11, 13–15, 17–20, 26, 64, 72–3, 95–6, 142, 144–5, 148, 151, 153–4, 156–7, 173–4, 176, 194
House of Lords, Bills in, 20–1, 27, 73, 94, 96, 158; petitions to, 20, 27

Ice-breaker, 93
Interest charges, 30, 37–8, 53, 105; rates, 23–4, 28–9, 37, 50–3, 60–1, 72–3, 75, 78–80, 105, 120–1, 193–6, 201

Land, value of, 14, 55, 60, 83, 85, 101, 103–4
Lock-keepers, 101–2, 124; wages of, 101–2, 134
Locks, 7, 31, 34, 55, 58–60, 74, 93, 124, 144–6, 157, 162–4, 191; cost of, 30, 55, 58, 65, 70, 82, 85, 101, 112–13, 124; repairs to, 47, 82; size of, 54, 66, 69, 70, 74, 163, 177–8, 185, 192–3; survey of, 47–8; *see also* Acton Bridge, Barnton, Butty Meadow, Dutton Bottoms, Frodsham, Hartford, Hunts, Newbridge, Northwich, Pickerings, Saltersford, Vale Royal, Winnington, Witton Brook

Mills, 7–8, 89, 112, 144

Quays, *see* Wharves

Roads, repair of, 23–4, 26, 65–6, 74, 76, 85, 107, 116, 118–19, 125, 177–8

Salaries, 30, 35–6, 46, 56–7, 81, 103, 110, 116–17
Salt, 2–3, 19, 146–7, 177; carriage of, 3–4, 13–14, 18, 142–3, 145, 147, 149; cost of, 3–4; industry, 3, 14–15, 19, 22, 25, 44–5, 99, 142–3, 146–7, 167–8; proprietors, 6, 8–9, 12, 14–15, 19–20, 41–4, 59, 99, 111, 115, 125, 127–8, 130–1, 142, 147, 149, 153, 156; *see also* Cargoes

Tolls, 2, 12, 14, 22, 24, 26–7, 31n., 34, 43, 54, 65–7, 69, 70, 76, 92, 95, 99, 104–7, 112–13, 115, 127, 133, 152–3, 156, 162, 175, 177–8, 180, 183–6, 188, 191, 193, 197, 203, 205; revenue from, 14, 37–8, 41, 43n., 44, 46, 85, 105, 120–1, 130–1, 135, 161, 206–7
Tonnage, 39–40, 46, 86, 105–6, 109–10, 121–2, 135, 164, 208–28; dues, *see* Tolls
Towing, by horses, 7, 22, 114–15; by men, 22, 31, 114–15
Towing-paths, 22, 31, 33n., 114–15, 129–30
Trustees (under 33 Geo. II, c. 49), 73–5, 78–85, 87–108, 110–37, 196–9, 205

Wages, 47, 101–3, 117, 134
Warehouses, 44–6, 74, 99–100, 107, 116–18
"Warrington Treaty", 66–8, 71, 176–7, 189
Weirs, 1, 55n; cost of, 55–6, 58, 112; repairs to, 56; survey of, 47–8; *see also* Acton Bridge, Butty Meadow, Frodsham, Hartford, Hunts, Newbridge, Northwich, Pickerings, Saltersford, Vale Royal, Winnington
Wharves, 18, 44, 46, 60, 74, 99–100, 107, 115–18, 125–6, 128–9, 132

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Northwich

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THE RIVER WEAVER

IN THE

EIGHTEENTH CENTURY

Scale

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Frodsham Lock
Frodsham
River Weaver
Pickerings Lock
Dutton Bottoms Lock
Acton Bridge Lock
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Salterisford Lock
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Winsford
Marston
Wincham
Witton Br
Wade Brook
Northwich
Broken Cross
River Dane
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